

# 106<sup>th</sup> TN General Assembly

## First Regular Session



**Wednesday, February 25, 2009**

Senate – 8<sup>th</sup> Legislative Day      House – 8<sup>th</sup> Legislative Day

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### SENATE

#### BILLS / RESOLUTIONS

SB's 1968 – 2016 were introduced and passed on first consideration.

- SR 0025** by \*Stanley  
Memorials, Personal Achievement - Frank Inman, Society of Entrepreneurs -
- \*SR 0026** by \*Stanley  
General Assembly, Statement of Intent or Position - Expresses opposition to efforts to amend the National Labor Relations Act of 1935 to remove the private election phase of union recognition campaigns and force binding arbitration on employers during union negotiations. -
- SJR 0095** by \*McNally, Yager  
Memorials, Recognition - Oak Ridge's Operation Open Sesame, 60th anniversary -
- \*SJR 0096** by \*Henry  
General Assembly, Studies - Creates a committee to study the effects of litigation on the nursing home industry. -
- SJR 0097** by \*Henry, McNally, Jackson  
Memorials, Death - Milton Hamilton, Jr. -
- SJR 0098** by \*Crowe  
Memorials, Death - Dr. William Paul Fife -
- SJR 0099** by \*Faulk  
Memorials, Retirement - Thomas H. Russell -
- SJR 0100** by \*Yager  
Memorials, Personal Occasion - Earl Nall, 65th birthday -
- \*SJR 0101** by \*Bunch  
Memorials, Government Officials - Directs Tennessee code commission to delete "Partially obsolete" designations and related compiler's notes in Tennessee Code Annotated, Title 67, Chapter 1, Part 9. -
- \*SJR 0102** by \*Bunch  
General Assembly, Directed Studies - Directs oversight committee on education to examine access to state university and college athletic venues for TSSAA championship competitions. -
- SJR 0103** by \*Haynes  
Memorials, Personal Occasion - Ora Knies, 108th birthday -
- \*SJR 0104** by \*Burks  
Highway Signs - "Vietnam War Memorial Highway," segment of I-40 in Cumberland County -
- SJR 0105** by \*Overbey  
Memorials, Death - Joseph Winfred Morgan -

(Senate Resolutions cont.)

**SJR 0106 by \*Ford, O.**

Memorials, Death - former Representative Alvin King -

**\*SB 1991 by \*Marrero B (HB 2078 by \*Ferguson )**

Health Care - As introduced, directs the board for licensing health care facilities to develop a rule to authorize certified medical technicians to administer medications to residents of assisted care living facilities and residential homes for the aged. - Amends TCA Title 68, Chapter 11.

**SB 1992 by \*Johnson (\*HB 1778 by \*Casada )**

Firearms and Ammunition - As introduced, prohibits confiscations of lawfully possessed firearms and ammunition during periods of martial rule; clarifies firearm and ammunition restriction prohibitions during any state of emergency, major disaster, or natural disaster. - Amends TCA Title 58, Chapter 1, Part 1 and Title 58, Chapter 2, Part 1.

**SB 1993 by \*Johnson (\*HB 1754 by \*Lynn )**

Administrative Procedure (UAPA) - As introduced, requires department of safety to deliver draft copy of public necessity rules to the government operations committees, simultaneous with the submission of such rules to attorney general for approval. - Amends TCA Title 4; Title 8, Chapter 23; Title 10; Title 39, Chapter 16; Title 49, Chapter 6; Title 49, Chapter 1; Title 55 and Title 65.

**\*SB 1994 by \*Norris**

Taxes, Franchise - As introduced, increases franchise and excise tax credit for financial institutions donating to the Tennessee rural development opportunity fund from 10 percent of contribution to 11 percent of contribution. - Amends TCA Title 67.

**\*SB 1995 by \*Norris**

Pharmacy, Pharmacists - As introduced, defines "third party logistics provider" and establishes licensing requirements for third party logistics providers. - Amends TCA Title 53, Chapter 10; Title 53, Chapter 11 and Title 63, Chapter 10.

**\*SB 1996 by \*Norris**

Fiscal Review Committee - As introduced, clarifies that term "operating costs," for purposes of fiscal notes for bills resulting in net increase in periods of state incarceration, includes deductions for reductions in recidivism and cost savings to community. - Amends TCA Title 3 and Title 9, Chapter 4, Part 2.

**\*SB 1997 by \*Norris (HB 1911 by \*Johnson C )**

Education - As introduced, enacts the "Interstate Compact on Educational Opportunity for Military Children." - Amends TCA Title 49.

**\*SB 1998 by \*Norris**

Public Records - As introduced, prohibits publication of any information contained in an application or application for renewal of a handgun carry permit; allows access by law enforcement for investigation or prosecution; gives civil cause of action to anyone whose information is published. - Amends TCA Section 10-7-504; Title 39, Chapter 17, Part 13 and Title 55.

**\*SB 1999 by \*Norris (HB 1838 by \*Todd )**

Election Laws - As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2 and Title 4.

**SB 2000 by \*Haynes (\*HB 1777 by \*Hackworth )**

Workers Compensation - As introduced, requires the Advisory Council on Workers' Compensation to report concerning rules promulgated by the department of labor and workforce development relative to medical impairment ratings. - Amends TCA Title 50 and Title 56.

**\*SB 2001 by \*Haynes (HB 1776 by \*Moore )**

Workers Compensation - As introduced, revises reporting dates for certain specified reports related to workers' compensation to January 1 of each year. - Amends TCA Title 50 and Title 56.

**SB 2002 by \*Haynes (\*HB 1531 by \*Harwell )**

Teachers, Principals and School Personnel - As introduced, provides that employee bonuses and performance compensation are not conditions of employment that the board of education and professional employees' organization have to negotiate in good faith. - Amends TCA Title 49, Chapter 5, Part 6.

**\*SB 2003 by \*Haynes (HB 2045 by \*McCord, Todd )**

Election Laws - As introduced, extends time period for requirement of any new voting system purchased or leased to be a system using precinct-based optical scanners from after January 1, 2009, to after June 30, 2009. - Amends TCA Title 2 and Chapter 1108 of the Public Acts of 2008.

(Senate Bills cont.)

- \*SB 2004 by \*Overbey** (HB 1883 by \*Harrison )  
Health, Dept. of - As introduced, urges the department to undertake an analysis to assist the legislature in determining the future direction of licensing and oversight of methadone maintenance programs and to share any findings, if so undertaken, with the governor and the health and human resources committee of the house and the general welfare, health and human resources committee of the senate. - Amends TCA Title 68, Chapter 11.
- SB 2005 by \*Black** (\*HB 1820 by \*Maggart )  
Tennessee Bureau of Investigation - As introduced, permits bureau to digitize sex offender files and provides that a digitized copy of original is same as an original for purposes of introduction in evidence in a judicial or administrative proceeding. - Amends TCA Title 40, Chapter 39, Part 2.
- \*SB 2006 by \*Black** (HB 1828 by \*Hensley )  
TennCare - As introduced, extends termination date for select oversight committee on TennCare to June 30, 2014. - Amends TCA Section 3-15-509.
- \*SB 2007 by \*Black** (HB 1880 by \*McCormick, Hensley )  
State Government - As introduced, transfers bomb and arson section within the department of commerce and insurance to the Tennessee bureau of investigation. - Amends TCA Title 38, Chapter 6 and Title 68, Chapter 102.
- SB 2008 by \*Harper** (\*HB 1812 by \*Pruitt )  
Nuisances - As introduced, requires the lease for any residential rental property located in Davidson County to contain a provision requiring the tenant to pay the rent due under the lease to the county clerk to cover costs assessed by the county to remedy certain conditions on the property. - Amends TCA Title 5; Title 7 and Title 39, Chapter 14, Part 5.
- \*SB 2009 by \*Barnes** (HB 1901 by \*Pitts )  
Travel Regulations - As introduced, requires state mileage rate to be set by department of finance and administration in amount at least 90 percent of the standard mileage rate allowed by IRS as deduction for taxpayer's use of automobile for business expense purpose. - Amends TCA Title 4, Chapter 3, Part 10.
- SB 2010 by \*Beavers** (\*HB 1592 by \*Bone )  
Courts, Appeal - As introduced, exempts Wilson County from the requirement that appeals from the Probate Court (i.e., General Sessions Court acting as the Probate Court) must be heard anew in Chancery Court de novo. - Amends TCA Section 30-2-609.
- SB 2011 by \*Southerland** (\*HB 1811 by \*Litz )  
Water - As introduced, requires local governments to post the statute of any pledge made to obtain a loan from the wastewater facility revolving loan fund on a Web site maintained by the government, if one is maintained. - Amends TCA Title 68, Chapter 221, Part 10 and Title 68, Chapter 221, Part 12.
- SB 2012 by \*Henry** (\*HB 1759 by \*Odom )  
Uniform Commercial Code - As introduced, increases the amount required to be advanced by a lender in order to participate in a borrower's enterprise or venture from \$500,000 to \$750,000. - Amends TCA Title 47.
- SB 2013 by \*Johnson** (\*HB 1821 by \*Casada )  
Mental Retardation - As introduced, exempts certain adult day habilitation facilities providing services to developmentally disabled adults from individual program plan and medical care responsibilities. - Amends TCA Title 33 and Title 49.
- SB 2014 by \*Burchett** (\*HB 1850 by \*Dunn )  
Veterans - As introduced, mirrors the federal veterans' preference points for disabled veterans, their spouses or mothers of a veteran who died in service or who is permanently and totally disabled. - Amends TCA Title 8, Chapter 30, Part 3.
- \*SB 2015 by \*Burchett** (HB 1953 by \*Armstrong, Tindell, Niceley, Dunn, Brooks H, Haynes )  
Taxes, Litigation - As introduced, authorizes the county legislative body of Knox County by a two-thirds vote to levy as court costs an additional litigation tax of \$1.00 up to a maximum of \$5.00 for each petition, warrant and citation, including warrant and citation for traffic offense, filed in the general sessions and juvenile courts; such tax may be increased yearly by \$1.00. - Amends TCA Section 16-20-106.
- SB 2016 by \*Ford, O.** (\*HB 0704 by \*Turner L )  
Mortgages - As introduced, requires mortgage counselor be consulted before an adjustable rate mortgage can be completed. - Amends TCA Title 47.

(Senate Bills cont.)

**\*SB 2017 by \*Barnes (HB 2008 by \*McDonald )**

Lottery, Scholarships and Programs - As introduced, permits student who is eligible for in-state tuition as child of divorced parents, one of whom is domiciled in Tennessee, to be eligible for HOPE scholarships; provided, that such student meets all applicable academic and nonacademic requirements, other than residency, for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9.

**\*SB 2018 by \*Barnes (HB 1900 by \*Pitts )**

Sexual Offenders - As introduced, removes exemptions that allow sexual offender to be temporarily on school grounds, during school hours, to attend an academic conference or school event; to drop off or pick up a child; or to make a mail, food, or other such delivery. - Amends TCA Title 40, Chapter 39, Part 2.

**SB 2019 by \*Faulk (\*HB 1737 by \*Fincher )**

Elderly Persons - As introduced, requires the departments of health and human services to make certain reports to the general assembly concerning nursing homes and adult protective services. - Amends TCA Title 68 and Title 71.

**\*SB 2020 by \*Faulk (HB 2015 by \*Hawk )**

Courts, Municipal - As introduced, creates municipal court for any municipality that does not have such a court established by the general assembly. - Amends TCA Title 16, Chapter 18, Part 3.

**\*SB 2021 by \*Berke (HB 2023 by \*Turner M )**

Safety - As introduced, requires all statutorily mandated smoke detectors installed after January 1, 2010, to be photo-electric devices or a combination of ionized and photo-electric. - Amends TCA Section 37-2-412; Title 68, Chapter 102, Part 1; Title 68, Chapter 11 and Title 68, Chapter 120, Part 1.

**SB 2022 by \*Berke (HB 2035 by \*Dean, McCormick, Floyd, Favors, Brown, Cobb J )**

Hamilton County - As introduced, subject to local approval, prohibits any purchases that comply with energy efficiencies standards and life cycles costing employed by the state of Tennessee in its procurement policies. - Amends Chapter 156 of the Private Acts of 1941; as amended.

**\*SB 2023 by \*Berke**

State Government - As introduced, establishes an EFFECTs position to establish an accountability process to insure state government is efficient, forward-looking, focused, energetic, competent, and transparent. - Amends TCA Title 4.

**\*SB 2024 by \*Berke**

Criminal Offenses - As introduced, requires office of criminal justice programs in department of finance and administration to establish program, and seek federal funding, for use by drug courts to combat overt drug trafficking and associated violence. - Amends TCA Title 16, Chapter 22.

**\*SB 2025 by \*Berke (HB 1943 by \*Maddox )**

Education, Higher - As introduced, creates the "Forward Thinking for Education Task Force." - Amends TCA Title 49.

**SB 2026 by \*Yager (HB 1834 by \*Ferguson, Winningham, Windle, Hackworth )**

Oliver Springs - As introduced, subject to local approval, creates position of city manager and various departments within the town. - Amends Chapter 13 of the Private Acts of 1979; as amended.

**SB 2027 by \*Yager (\*HB 1822 by \*Winningham )**

Utilities, Utility Districts - As introduced, removes the special provision limiting the per meeting amount of \$250 for Huntsville Utility District commissioners in Scott County, thus applying the general law which sets the payment at \$300 per meeting to such commissioners. - Amends TCA Section 7-82-308.

**SB 2028 by \*Yager (HB 1904 by \*Ferguson )**

Harriman - As introduced, subject to local approval, makes certain changes to the charter of the City of Harriman. - Amends Chapter 165 of the Private Acts of 1917; as amended.

**SB 2029 by \*Yager (\*HB 1897 by \*Shipley )**

Energy - As introduced, establishes a pilot program for the development and testing of coal to liquid fuels technology and coal to carbonite technology production techniques and conversion technology. - Amends TCA Title 4; Title 7; Title 13; Title 49; Title 59 and Title 67.

**\*SB 2030 by \*Burchett (HB 1917 by \*Brooks H )**

Education - As introduced, requires the department of education to explore with the Tennessee congressional delegation and the United States department of education modification of No Child Left Behind determination of who is a dropout for students who receive a GED and score well on certain assessments. - Amends TCA Title 49.

(Senate Bills cont.)

**SB 2031 by \*Burchett (\*HB 1914 by \*Armstrong )**

Mental Illness - As introduced, authorizes a releasing facility and qualified mental health professional to consult with certain additional adult family members in developing an outpatient treatment plan. - Amends TCA Title 33.

**SB 2032 by \*Bunch (\*HB 1837 by \*Kelsey )**

DUI/DWI Offenses - As introduced, requires person convicted of DUI to obtain a special "DUI OFFENDER" license plate from department of revenue for display on the person's vehicle for a year plus any period of time the person has a restricted license. -

**\*SB 2033 by \*Bunch**

Tennessee Housing Development Agency - As introduced, requires agency to develop and implement a system of county needs scores. - Amends TCA Title 13, Chapter 23.

**SB 2034 by \*Faulk (HB 1830 by \*Lundberg, Mumpower )**

Bristol - As introduced, subject to local approval, provides that the members of the municipal board of education shall be elected in the same manner used to elect the city council. - Amends amend Chapter 84 of the Private Acts of 1991; as amended by Chapter 140 of the Private Acts of 1996, Chapter 2 of the Private Acts of 1997, Chapter 130 of the Private Acts of 2002, Chapter 64 of the Private Acts of 2005.

**\*SB 2035 by \*Jackson (HB 1936 by \*Coleman )**

Courts, Supreme Court of Tennessee - As introduced, enacts the "Supreme Court Voter-Owned Elections Act." - Amends TCA Title 2, Chapter 10.

**\*SB 2036 by \*Jackson (HB 1923 by \*Fincher )**

Domestic Violence - As introduced, requires judge, when addressing a defendant who intends to plead guilty to a charge of domestic assault, to advise the defendant prior to the plea of the state and federal firearms consequences of such a plea. - Amends TCA Title 39, Chapter 13, Part 1.

**\*SB 2037 by \*Norris (HB 1990 by \*Fitzhugh )**

Taxes, Real Property - As introduced, revises provisions governing the notice to be given prior to enforcing a lien for uncollected property taxes; removes certain county exclusions from requirement. - Amends TCA Title 67, Chapter 5.

**\*SB 2038 by \*Norris (HB 1976 by \*Fitzhugh, Eldridge, Naifeh, Shaw )**

Sewage - As introduced, includes wastewater facilities within the definition of local government for certain purposes. - Amends TCA Title 4, Chapter 31 and Title 68, Chapter 221.

**\*SB 2039 by \*Norris (HB 1989 by \*Fitzhugh )**

Taxes, Real Property - As introduced, requires country trustee to submit plan to comptroller regarding partial tax payments prior to the trustee's accepting partial payment of property taxes. - Amends TCA Title 67, Chapter 5.

**\*SB 2040 by \*McNally (HB 1988 by \*Fitzhugh )**

Public Funds and Financing - As introduced, requires the state school bond authority to report the total funds received under the federal American Recovery and Reinvestment Act of 2009 to the chairs of the senate and house finance, ways and means committees by January 2, 2010. - Amends TCA Title 4 and Title 49.

**\*SB 2041 by \*McNally (HB 1987 by \*Fitzhugh )**

Public Funds and Financing - As introduced, requires the state funding board to report the total funds received under the federal American Recovery and Reinvestment Act of 2009 to the chairs of the house and senate finance, ways and means committees by January 2, 2010. - Amends TCA Title 4 and Title 9.

**\*SB 2042 by \*McNally (HB 1985 by \*Fitzhugh )**

Auditing - As introduced, requires that certain meetings of an audit committee abide by public notice and public meeting provisions; authorizes confidential meetings in certain circumstances; classifies certain audit-related documents as confidential. - Amends TCA Title 10, Chapter 7, Title 9, Chapter 3 and Title 4, Chapter 3.

**\*SB 2043 by \*McNally, Henry, Burchett (HB 1984 by \*Fitzhugh )**

Public Funds and Financing - As introduced, includes in the definition of "public deposits" certain funds held by a bond trustee; authorizes the investment of such funds in the pooled investment fund or local government investment pool. - Amends TCA Title 9, Chapter 4.

**\*SB 2044 by \*McNally, Henry, Burchett (HB 1977 by \*Fitzhugh, Tindell )**

Public Funds and Financing - As introduced, authorizes Hamilton, Knox, Davidson and Shelby counties to sell bonds at private sale, until June 30, 2010. - Amends TCA Title 9, Chapter 21.

(Senate Bills cont.)

- \*SB 2045** by \*McNally, Henry, Burchett (HB 1983 by \*Fitzhugh )  
Public Funds and Financing - As introduced, authorizes the state funding board to cancel certain bonds that were authorized to be issued. -
- \*SB 2046** by \*McNally, Henry, Burchett (HB 1982 by \*Fitzhugh )  
Water - As introduced, authorizes the entering into of loan and grant agreements between the Tennessee local development authority and local government units from funds provided by the federal American Recovery and Reinvestment Act of 2009. - Amends TCA Title 4, Chapter 31 and Title 68, Chapter 221.
- \*SB 2047** by \*McNally, Henry (HB 1981 by \*Fitzhugh )  
Water - As introduced, authorizes the Tennessee local development authority to charge administrative fees and expenses under the Wastewater Facilities Act of 1987 and the Drinking Water Revolving Loan Fund Act of 1997. - Amends TCA Title 68.
- \*SB 2048** by \*McNally, Henry, Burchett (HB 1980 by \*Fitzhugh )  
State Government - As introduced, adds the governor, secretary of state, state treasurer, comptroller, and commissioner of finance and administration as ex officio members of the Tennessee local development authority. - Amends TCA Title 4, Chapter 31, Part 1.
- \*SB 2049** by \*McNally, Henry, Burchett (HB 1979 by \*Fitzhugh )  
Utilities, Utility Districts - As introduced, reduces from three to two the number of consecutive years a utility district, water system, or wastewater facility must have a negative change in net assets in order to be considered financially distressed. - Amends TCA Section 7-82-703; Section 7-82-401 and Section 68-221-1010.
- \*SB 2050** by \*McNally, Henry, Burchett (HB 1978 by \*Fitzhugh )  
Local Government, General - As introduced, enacts the "Local Government Electronic Technology Act of 2009." -
- SB 2051** by \*Watson (\*HB 1881 by \*McCormick )  
County Government - As introduced, expands county powers shared with municipalities for Hamilton County by a two-thirds vote to include the power granted to municipalities by § 6-2-201(30) concerning the ability to regulate, tax, license, or suppress the keeping or going at large of animals; the exercise of such power is limited to the unincorporated areas of the county. - Amends TCA Section 5-1-118.
- \*SB 2052** by \*Watson  
Agriculture, Dept. of - As introduced, authorizes department to issue certificate of free sale for food, drugs, or cosmetics if manufacturer or distributor is authorized to manufacture or distribute the product and it can be sold freely or the party has provided documentation of FDA inspection and the party appears to be authorized to sell. - Amends TCA Title 53, Chapter 1.
- SB 2053** by \*Tate (\*HB 1915 by \*Jones U )  
Domestic Violence - As introduced, modifies the definition of domestic violence victim. - Amends TCA Title 36, Chapter 3, Part 6 and Section 39-13-111.
- \*SB 2054** by \*Tate  
Taxes - As introduced, enacts the "Tennessee Modernization and Economic Stimulus Act." - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.
- SB 2055** by \*Barnes (\*HB 1899 by \*Pitts )  
Workers Compensation - As introduced, changes the effective date of Chapter 1041 of the Public Acts of 2008 from December 31, 2009, to July 1, 2012. - Amends Chapter 1041 of the Public Acts of 2008.
- SB 2056** by \*Barnes (\*HB 1910 by \*Johnson C )  
School Transportation - As introduced, permits Montgomery County upon adoption of a resolution by two thirds of the county commission to use Type D transit buses for 15 years or for up to 17 years, if the number of miles traveled does not exceed 225,000. - Amends TCA Title 49, Chapter 6, Part 21.
- SB 2057** by \*Barnes, Jackson, Yager (\*HB 1898 by \*Tidwell, Pitts )  
Transportation, Dept. of - As introduced, requires TDOT to ensure share of federal stimulus funds for transportation are allocated directly to rural planning organizations in proportion to population. - Amends TCA Title 54.

(Senate Bills cont.)

- SB 2058 by \*McNally (\*HB 1853 by \*Bell )**  
Special License Plates - As introduced, authorizes issuance of new specialty earmarked plates for Cherohala Skyway; allocates proceeds from such plates to Cherohala Skyway Visitor Center. - Amends TCA Title 55, Chapter 4.
- SB 2059 by \*McNally (\*HB 1773 by \*Fitzhugh )**  
Insurance, Life - As introduced, requires the commissioner of commerce and insurance to submit an annual report on or before July 1 to the governor and the general assembly concerning life settlements. - Amends TCA Title 48, Chapter 2; Title 56, Chapter 50; Section 56-52-102 and Title 56, Chapter 7.
- SB 2060 by \*McNally (\*HB 1774 by \*Fitzhugh )**  
Unemployment Compensation - As introduced, delays unemployment trust fund balance report from February 1 to March 1. - Amends TCA Title 50, Chapter 7.
- \*SB 2061 by \*Haynes (HB 2017 by \*Sontany )**  
Regulatory Boards - As introduced, corrects cross-reference in code from "§ 68-11-208" to "§ 68-11-209." - Amends TCA Section 62-11-106.
- SB 2062 by \*Burks (\*HB 1927 by \*Fincher )**  
Insurance, Health, Accident - As introduced, makes failing to accept a licensed physician in good standing into a network and pay fair market value an unfair trade practice. - Amends TCA Title 56.
- SB 2063 by \*Burks (\*HB 1930 by \*Bone )**  
Food and Food Products - As introduced, clarifies that certain homemade foods may be sold at farmers' markets; exempts preparer and seller of such foods from certain food regulations. - Amends TCA Title 53.
- SB 2064 by \*Overbey, Yager, Burchett (\*HB 1477 by \*Montgomery, Dunn, Sargent, Haynes, Brooks H )**  
Naming and Designating - As introduced, designates TBI headquarters in Nashville as "Arzo Carson TBI State Office Building." -
- SB 2065 by \*Overbey (HB 2042 by \*McCord )**  
Blount County - As introduced, subject to local approval, increases the hotel motel tax from 4 percent to 5 percent; redistributes the proceeds. - Amends Chapter 102 of the Private Acts of 1979; as amended.
- SB 2066 by \*Overbey (\*HB 1912 by \*Armstrong )**  
Solid Waste Disposal - As introduced, amends the Landfill Methane Development Act to identify certain circumstances and purposes for which refined, landfill methane shall be deemed to be natural gas. - Amends TCA Title 65, Chapter 28, Part 2.
- SB 2067 by \*Marrero B (\*HB 1932 by \*Jones U )**  
Funeral Directors and Embalmers - As introduced, exempts municipalities and counties from meeting the requirements for funeral directing for burials of human remains in municipally or county-owned cemeteries if no charge is made for the burial and the cemeteries are not operated for profit. - Amends TCA Title 62, Chapter 5, Part 1.
- \*SB 2068 by \*Marrero B (HB 1958 by \*Kernell )**  
Conservation - As introduced, authorizes county conservation boards, upon majority vote of membership, to meet no less frequently than quarterly rather than monthly. - Amends TCA Section 11-21-103.
- \*SB 2069 by \*Barnes (HB 1941 by \*Tidwell )**  
Highways, Roads and Bridges - As introduced, requires commissioner of tourist development to report annually to the transportation committees on recommendations of additions to the state scenic roadway system; requires consideration be given to roads that bicyclists can safely enjoy. - Amends TCA Title 54, Chapter 17, Part 1.
- \*SB 2070 by \*Jackson (HB 2006 by \*McDaniel )**  
Special License Plates - As introduced, authorizes issuance of cultural license plates for University of Illinois. - Amends TCA Title 55, Chapter 4.
- \*SB 2071 by \*Burks**  
Health Care - As introduced, establishes requirements for home health companies to provide assistance with medication to clients; requires background checks of employees, recordkeeping, and waiver. - Amends TCA Title 63, Chapter 7 and Title 68.
- \*SB 2072 by \*Burks (HB 2004 by \*Curtiss )**  
Disabled Persons - As introduced, revises standards under which the department of human services must seek authorization to provide protective services for disabled adults. - Amends TCA Title 34 and Title 71, Chapter 6.

(Senate Bills cont.)

**SB 2073 by \*Southerland (\*HB 1961 by \*Shipley )**

Criminal Procedure - As introduced, expands the grounds upon which a search warrant may be issued to include reasonable suspicion of an act or terrorism. - Amends TCA Title 38; Title 39 and Title 40.

**\*SB 2074 by \*Burchett (HB 2048 by \*Ferguson )**

Gas, Petroleum Products, Volatile Oils - As introduced, empowers the governor to enter into leasing arrangements to properly develop gas resources of property owned by the state. - Amends TCA Title 12, Chapter 2; Title 60, Chapter 1 and Title 70, Chapter 1.

**SB 2075 by \*Burchett (\*HB 1938 by \*Matheny )**

Junk Dealers and Junkyards - As introduced, decreases penalty for Class A misdemeanor offense of unlawful sale of air conditioner evaporator coil or condenser to a Class C fine only misdemeanor if the defendant is certified to repair and install HVAC equipment. - Amends TCA Title 62, Chapter 9.

**\*SB 2076 by \*Burchett (HB 2047 by \*Ferguson )**

Marriage - As introduced, clarifies that former members of all county legislative bodies may solemnize marriages. - Amends TCA Section 36-3-301.

**SB 2077 by \*Ketron (\*HB 1992 by \*Shepard )**

Alcoholic Beverages - As introduced, deletes residency requirements for wholesalers, retailers, and wineries. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

**SB 2078 by \*Ketron, Haynes (\*HB 2016 by \*Sontany, Harwell, Watson )**

Architects, Engineers and Designers - As introduced, enacts the "Tennessee Interior Design Act." - Amends TCA Title 62, Chapter 2; Section 62-6-501 and Title 67, Chapter 4, Part 17.

**SB 2079 by \*Ketron (\*HB 1905 by \*Curtiss, Shepard )**

Purchasing - As introduced, creates a mechanism for local governmental units to purchase goods and services through a competitive reverse auction process after filing a plan with the comptroller to document internal controls to ensure the integrity of the process. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64 and Title 68.

**SB 2080 by \*Johnson (\*HB 1986 by \*Shipley, Hill )**

Remedies and Special Proceedings - As introduced, deletes existing false claims statutes and replaces them with a revised false claims statute; requires a mechanism for establishing the primacy of certain insurance claims. - Amends TCA Title 4; Title 50; Title 56 and Title 71.

**SB 2081 by \*Johnson (\*HB 1964 by \*Sargent )**

Workers Compensation - As introduced, limits claims by employees for certain injuries arising in time up through settlement approval or final trial order for an existing claim even if the injury occurred during medical treatment. - Amends TCA Title 50, Chapter 6 and Title 56.

**\*SB 2082 by \*Harper**

Probation and Parole - As introduced, specifies a psychiatrist, rather than a psychologist, must evaluate an inmate convicted of a sex crime and determine that the inmate does not pose a threat prior to release. - Amends TCA Title 39; Title 40 and Title 41.

**\*SB 2083 by \*Burchett (HB 2051 by \*McCord, Barker )**

Solid Waste Disposal - As introduced, enacts the "Tennessee Solid Waste Commodity Management and Community Recycling Enhancement Act of 2009." -

**\*SB 2084 by \*Burchett**

Credit and Debit Cards - As introduced, requires credit card issuers to credit payments by mail to card holders' accounts as of the date the payment is postmarked. - Amends TCA Title 47, Chapter 18 and Title 47, Chapter 22.

**\*SB 2085 by \*Burchett**

Naming and Designating - Names Knoxville, Tennessee, National Guard Armory in honor of the late Colonel Russell Austin Newman, USA, Retired. -

**\*SB 2086 by \*Jackson**

Parks, Natural Areas Preservation - As introduced, designates additional segment of Buffalo River, which is segment in Lewis County, as Class II Pastoral River. - Amends TCA Title 11, Chapter 13.

## **SECOND CONSIDERATION**

SB's 1957 – 1967 were passed on second consideration.



### **THIRD CONSIDERATION**

#### **Regular Calendar:**

SB 17 – Amd. #1 ad. – RE-SET to 2/26/09.

### **OTHER ACTION**

SB 1375 – RECALLED from S&L; RE-REFERRED to Commerce.  
SB's 1412, 1480 - WITHDRAWN

### **COMMITTEE REPORTS**

FINANCE, WAYS & MEANS – SHR #12 – 3:00 p.m. –

Rec. for pass., ref to Calendar – SB's 315, 317.

Action def. – SJR 11.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 11:00 a.m. –

Rec. for pass., ref to Calendar – SB's 442, 91, 408, 588.

Action def. – SB 443.

Ref. to Gen. Sub. - SB 108.

GOVERNMENT OPERATIONS – SHR #12 – 10:00 a.m. –

Rec. for pass., ref to Calendar – SB's 327, 328, 330, 331, 334, 335, 336, 337, 338, 339, 343, 344, 345, 346.

JUDICIARY – SHR #12 – 1:00 p.m. –

Rec. for pass., ref to Calendar – SB's 306, 110, 201.

Rec. for pass. if am., ref to Calendar - SB 284.

Rec. for adopt., ref to Calendar – SR's 20, 15, 16, 17, 18, 19.

Failed – SB 1097.

Action def. – SB's 113, 291, 192.

Ref. to Gen. Sub. – 112.

### **CALENDARS FOR THURSDAY, FEBRUARY 26, 2009**

#### **Consent #1**

**1. SJR 0092 by \*Ramsey**

Memorials, Personal Occasion - Bruce and Adeline Frizzell, 50th anniversary -

**2. HJR 0117 by \*Weaver, Fincher, Maddox**

Memorials, Death - Dr. Jerry Futrell -

#### **Consent #2**

**1. SB 0114 by \*Black (\*HB 0291 by \*Sargent)**

Regional Authorities and Special Districts - As introduced, expands the powers of the Greater Nashville regional council to include owning or leasing real and personal property as necessary to fulfill the duties and responsibilities of the regional council. - Amends TCA Section 64-7-110.

#### **Regular**

**1. \*SB 0315 by \*Kyle, Barnes, Berke (HB 0421 by \*Fitzhugh, Turner M, Johnson C, Pitts, McCormick)**

Bond Issues - As introduced, authorizes the state to issue bonds to fund grants for certain projects.

**2. \*SB 0317 by \*Kyle, Barnes, Berke (HB 0420 by \*Fitzhugh, Turner M, Johnson C, Pitts)**

Appropriations - As introduced, appropriates funds for 2008-2009 fiscal year. -

**3. SB 0017 by \*Stanley (\*HB 0074 by \*Matlock, Sargent, Harwell, Armstrong, Fitzhugh, Pitts)**

Public Funds and Financing - As introduced, revises qualifications of issuer of surety bonds used as collateral by state depositories to secure certain state funds. - Amends TCA Title 9, Chapter 4.

**SENATE CONVENES AT 9:00 A.M., THURSDAY, FEBRUARY 26, 2009**

# HOUSE

## BILLS / RESOLUTIONS

HB's 1756 – 1915 were introduced and passed on first consideration.

- HR 0023 by \*Jones U**  
Memorials, Public Service - Mariel Lane, Prudential Spirit of Community Awards Distinguished Finalist
- HR 0024 by \*Brooks K**  
Memorials, Recognition - Lee University, President's Higher Education Community Service Honor Roll -
- HR 0025 by \*Fraley**  
Memorials, Personal Occasion - Virgil L. McAlister, 98th birthday -
- HJR 0128 by \*Odom, Armstrong, Barker, Bass, Bell, Bone, Borchert, Brooks K, Brooks H, Brown, Campfield, Carr, Casada, Cobb T, Cobb C, Cobb J, Coleman, Coley, Cooper B, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faulkner, Favors, Ferguson, Fincher, Fitzhugh, Floyd, Ford, Fraley, Hackworth, Halford, Hardaway, Harmon, Harrison, Harwell, Hawk, Haynes, Hensley, Hill, Johnson C, Johnson P, Jones U, Kelsey, Kernell, Litz, Lollar, Lundberg, Lynn, Maddox, Maggart, Matheny, Matlock, McCord, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Mumpower, Naifeh, Niceley, Pitts, Pruitt, Ramsey, Rich, Richardson, Roach, Sargent, Shaw, Shepard, Shipley, Sontany, Stewart, Swafford, Tidwell, Tindell, Todd, Towns, Turner L, Turner M, Watson, Weaver, West, Williams, Windle, Winningham, Yokley**  
Memorials, Public Service - Ellen Tewes -
- HJR 0129 by \*Evans**  
Memorials, Death - Lieutenant Stephen Bradley Hutcherson -
- HJR 0130 by \*Evans**  
Memorials, Personal Achievement - Jacob Rylan Holloway, Eagle Scout -
- HJR 0131 by \*Ford**  
Memorials, Recognition - Dr. Sean Bryant Kaminsky -
- \*HJR 0132 by \*Camper**  
Constitutional Amendments - Adds new provision to Article I to provide that nothing in Constitution of Tennessee secures or protects right to a vasectomy. -
- \*HJR 0133 by \*Brooks H**  
Constitutional Amendments - Authorizes school boards to levy taxes for school purposes. -
- HJR 0134 by \*Halford**  
Memorials, Recognition - Ryan Garner -
- HJR 0135 by \*Hackworth, Winningham, Ferguson**  
Memorials, Recognition - Linden Elementary School -
- HJR 0136 by \*Hackworth, Winningham, Ferguson**  
Memorials, Recognition - Oak Ridge's Operation Open Sesame, 60th anniversary -
- HJR 0137 by \*Hackworth, Winningham, Ferguson**  
Memorials, Retirement - Lawrence Hahn -
- HJR 0138 by \*West**  
Naming and Designating - "Missing and Unidentified Persons Awareness Day," June 17, 2009 -
- \*HJR 0139 by \*Curtiss**  
General Assembly, Statement of Intent or Position - Expresses support for people with developmental disabilities having access to home- and community-based services provided through a single distinct entity in state government. -
- HJR 0140 by \*McDonald**  
Memorials, Recognition - Roger Dale Pullen -
- HJR 0141 by \*Dean, McCormick, Floyd, Favors, Brown, Cobb J, Brooks K, Shaw, DeBerry J**  
Memorials, Retirement - Reverend William "Billy" Dean -
- HJR 0142 by \*Cobb J**  
Memorials, Sports - Soddy-Daisy High School cheerleaders, NCA national champions -
- HJR 0143 by \*Weaver**  
Memorials, Sports - Brooke Armistead, Austin Peay State University Hall of Fame -

(House Resolutions cont.)

**\*HJR 0144 by \*Ferguson**

General Assembly, Directed Studies - Urges department of environment and conservation to study collection and retention ponds in Tennessee. -

**\*HJR 0145 by \*Ferguson**

Memorials, Government Officials - Urges Tennessee Valley Authority and Roane County community to forge closer, more productive relationship in dealing with recent coal ash spill at Kingston Fossil Plant. -

**HB 1823 by \*Winningham (\*SB 1925 by \*Haynes )**

Students - As introduced, instructs the state board of education to review LEA policies on school personnel recommending psychotropic drugs such as Ritalin to treat elementary and secondary school students for behavioral concerns; requires the state board to report its findings to the select oversight committee on education. - Amends TCA Title 49.

**HB 1824 by \*Winningham, Brown (\*SB 0905 by \*Burks )**

Local Education Agency - As introduced, requires each local school system's budget to include paying at least 30 percent of medical insurance premium costs for support or non-professional employees who participate in the coverage out of BEP medical insurance component. - Amends TCA Title 49, Chapter 2, Part 2.

**HB 1825 by \*Winningham, Maddox, Coley, Cooper B (\*SB 0945 by \*Tracy )**

Teachers, Principals and School Personnel - As introduced, provides \$4,000 annual supplement to full-time classroom teachers who achieve National Board for Professional Teaching Standards certification. - Amends TCA Section 49-5-5609.

**HB 1826 by \*Winningham, Tindell, Shaw, McDonald (\*SB 1826 by \*Kyle )**

Pensions and Retirement Benefits - As introduced, improves retirement benefits of certain Tennessee public employees. - Amends TCA Title 8, Chapter 36, Part 7 and Section 8-36-124.

**HB 1827 by \*Matlock (\*SB 1087 by \*McNally )**

Taxes, Real Property - As introduced, establishes crime of removing certain structures without paying monies owed. - Amends TCA Title 67, Chapter 5.

**HB 1828 by \*Hensley (\*SB 2006 by \*Black )**

TennCare - As introduced, extends termination date for select oversight committee on TennCare to June 30, 2014. - Amends TCA Section 3-15-509.

**\*HB 1829 by \*Hensley**

Highways, Roads and Bridges - As introduced, requires that "shovel ready" highway projects included in the "Accelerated Primary Highway Plan" receive funding priority in utilization of transportation monies earmarked to Tennessee through federal American Recovery and Reinvestment Act. - Amends TCA Title 54 and Title 67, Chapter 3, Part 9.

**HB 1830 by \*Lundberg, Mumpower (SB 2034 by \*Faulk )**

Bristol - As introduced, subject to local approval, provides that the members of the municipal board of education shall be elected in the same manner used to elect the city council. - Amends amend Chapter 84 of the Private Acts of 1991; as amended by Chapter 140 of the Private Acts of 1996, Chapter 2 of the Private Acts of 1997, Chapter 130 of the Private Acts of 2002, Chapter 64 of the Private Acts of 2005.

**HB 1831 by \*Hawk**

Unicoi County - As introduced, subject to local approval, permits volunteer fire departments to possess, store, use, or sell fireworks. - Amends Chapter 256 of the Private Acts of 1947.

**HB 1832 by \*Turner M, Todd, Jones U, Moore, Watson, Brooks H, Dean, Rich, Faulkner, Matheny, Miller L, Cobb T (\*SB 0523 by \*McNally )**

Evidence - As introduced, creates privileged communication between critical incident stress management team members participating in crisis intervention. - Amends TCA Title 24, Chapter 1, Part 2.

**HB 1833 by \*Armstrong, Brown (\*SB 1566 by \*Tate )**

Health Care - As introduced, creates chronic kidney disease task force. -

**HB 1834 by \*Ferguson, Winningham, Windle, Hackworth (SB 2026 by \*Yager )**

Oliver Springs - As introduced, subject to local approval, creates position of city manager and various departments within the town. - Amends Chapter 13 of the Private Acts of 1979; as amended.

**HB 1835 by \*Kernell (\*SB 1942 by \*Tate )**

Criminal Offenses - As introduced, makes possession of between 1/1000 and 1/8 of an ounce of marijuana a fine only \$250 minimum Class A misdemeanor with the first \$250 of the amount of the fine going to the drug court in the county of conviction. - Amends TCA Title 39, Chapter 17, Part 4.

(House Rills cont.)

**HB 1836 by \*Kelsey (\*SB 1975 by \*Burchett )**

Treasurer, State - As introduced, requires treasurer to divest any holdings of the Tennessee consolidated retirement system in securities issued by companies that have substantial current operations in nations determined by the United States department of state to be state-sponsors of terrorism. - Amends TCA Title 8, Chapter 37.

**\*HB 1837 by \*Kelsey (SB 2032 by \*Bunch )**

DUI/DWI Offenses - As introduced, requires person convicted of DUI to obtain a special "DUI OFFENDER" license plate from department of revenue for display on the person's vehicle for a year plus any period of time the person has a restricted license. -

**HB 1838 by \*Todd (\*SB 1999 by \*Norris )**

Election Laws - As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2 and Title 4.

**HB 1839 by \*Todd (\*SB 1924 by \*Tate )**

Workers Compensation - As introduced, requires that the three physician members of the medical care and cost containment committee represent different specialty practice areas. - Amends TCA Title 50, Chapter 6.

**\*HB 1840 by \*Haynes**

Registers of Deeds - As introduced, allows Knox County register to redact social security numbers on recorded documents maintained on computers or removable computer storage media. - Amends TCA Section 10-7-515.

**\*HB 1841 by \*Niceley**

Political Parties - As introduced, urges the state executive committees of each statewide political party to jointly establish a calendar of appearances in each county enabling their respective gubernatorial candidates to appear together during the time between the primary and general elections. - Amends TCA Title 2, Chapter 13, Part 1.

**HB 1842 by \*Sargent, Odom (\*SB 0776 by \*Overbey )**

Cemeteries - As introduced, establishes procedure for reinterment of human bodies buried in wrong location in a cemetery. - Amends TCA Title 46 and Title 68.

**HB 1843 by \*Harmon (\*SB 0443 by \*Overbey )**

Hospitals and Health Care Facilities - As introduced, authorizes the board for licensing health care facilities to delegate to the department of health the authority to issue a new license to a successor owner of a health care facility when there has been a change of control if the successor owner meets the qualifications for the license. - Amends TCA Title 4 and Title 68.

**HB 1844 by \*Harmon (\*SB 1580 by \*Burchett )**

Insurance, Health, Accident - As introduced, deletes current specific penalty for a health insurance entity failing to timely pay a clean claim from a provider and substitutes the general penalty for violation of insurance statutes, rules, or orders. - Amends TCA Title 56.

**HB 1845 by \*Miller L (\*SB 1953 by \*Tate )**

General Assembly - As introduced, creates six-member diversity business enterprise select oversight committee to review and evaluate diversity in state contracting and procurement; three members to be appointed by the speaker of the senate, one from each grand division; three members to be appointed by the speaker of the house, one from each grand division. - Amends TCA Title 3, Chapter 15; Title 4 and Title 12.

**HB 1846 by \*Miller L (\*SB 1952 by \*Tate )**

Economic and Community Development - As introduced, requires the state treasurer to submit a written report each year concerning the assistance program for small and minority-owned businesses and the small and minority-owned business assistance program fund. - Amends TCA Section 65-5-113.

**HB 1847 by \*Miller L (\*SB 1830 by \*Kyle )**

Economic and Community Development - As introduced, revises the Neighborhood Preservation Act. - Amends TCA Title 13, Chapter 6.

**HB 1848 by \*Coley (\*SB 1748 by \*Marrero B )**

Elderly Persons - As introduced, directs TBI to establish an alert program for missing senior citizens. - Amends TCA Title 38.

(House Bills cont.)

**HB 1849 by \*Coley (\*SB 1968 by \*Norris )**

Motor Vehicles - As introduced, increases minimum age of a motor vehicle exempt from title requirements for motor vehicle dismantlers and recyclers and scrap metal dealers from 10 years to 15 years. - Amends TCA Section 55-3-202.

**\*HB 1850 by \*Dunn (SB 2014 by \*Burchett )**

Veterans - As introduced, mirrors the federal veterans' preference points for disabled veterans, their spouses or mothers of a veteran who died in service or who is permanently and totally disabled. - Amends TCA Title 8, Chapter 30, Part 3.

**\*HB 1851 by \*Campfield**

Universities, State - As introduced, provides that student enrolled at a public institution of higher education in a course in which the instructor has a financial interest in the course textbook or materials does not have to purchase such textbook or course materials. - Amends TCA Title 49, Chapter 7, Part 1.

**\*HB 1852 by \*Campfield**

General Assembly - As introduced, specifies that government operations committees are standing committees for all bills referred to them. - Amends TCA Section 4-29-118 and Section 4-5-108.

**\*HB 1853 by \*Bell (SB 2058 by \*McNally )**

Special License Plates - As introduced, authorizes issuance of new specialty earmarked plates for Cherohala Skyway; allocates proceeds from such plates to Cherohala Skyway Visitor Center. - Amends TCA Title 55, Chapter 4.

**HB 1854 by \*Lollar (\*SB 0707 by \*Tate )**

School Superintendents - As introduced, precludes superintendents' contract renewal or extension under certain circumstances. - Amends TCA Title 49, Chapter 2.

**HB 1855 by \*Montgomery (\*SB 1964 by \*Black )**

Evidence - As introduced, removes the prohibition that the failure to wear a seat belt is inadmissible into evidence in a civil action. - Amends TCA Section 55-9-604.

**HB 1856 by \*Lollar, Kernell (\*SB 0716 by \*Tate )**

Conservation - As introduced, authorizes county conservation boards, upon majority vote of membership, to meet no less frequently than quarterly rather than monthly. - Amends TCA Section 11-21-103.

**HB 1857 by \*Miller L (\*SB 1833 by \*Kyle )**

Election Laws - As introduced, clarifies that counties using computerized voting machines are allowed to use ballot-on-demand technology. - Amends TCA Title 2, Chapter 5.

**HB 1858 by \*Brown (\*SB 1314 by \*Berke )**

Lottery, Corporation - As introduced, requires the CEO of the lottery corporation to provide a quarterly summary statement of the lottery's revenues and expenses to the members of the education committees of the senate and house of representatives. - Amends TCA Title 4, Chapter 51.

**HB 1859 by \*Brown (\*SB 1318 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires THEC to report on transfers by HOPE scholarship students from eligible two-year postsecondary institutions to eligible four-year postsecondary institutions. - Amends TCA Title 4, Chapter 51 and Title 49.

**HB 1860 by \*Brown (\*SB 1649 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires the department of education and the Tennessee higher education commission to report on the effectiveness of the pilot after school programs. - Amends TCA Title 49.

**HB 1861 by \*Brown (\*SB 1316 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires THEC to provide detailed information on award and retention rates of Tennessee HOPE scholarships for nontraditional students in order for the general assembly to determine if changes in eligibility requirements should be made. - Amends TCA Title 49, Chapter 4, Part 9.

**HB 1862 by \*Brown (\*SB 1317 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires THEC to study the General Assembly Merit Scholarship program and include results of such study in its annual lottery scholarship report. - Amends TCA Title 49, Chapter 4, Part 9.

(House Rills cont.)

**HB 1863 by \*Brown (\*SB 1323 by \*Berke )**

Tennessee Higher Education Commission - As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on scholarship and grant programs data. - Amends TCA Title 49.

**HB 1864 by \*Brown (\*SB 1315 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires the Tennessee higher education commission to report on the effectiveness of the Tennessee HOPE scholarship for teachers. - Amends TCA Title 49.

**HB 1865 by \*Brown (\*SB 1313 by \*Berke )**

Education - As introduced, renames "model teen learning centers" as "model young adult learning centers." - Amends TCA Title 49.

**HB 1866 by \*Brown (\*SB 0979 by \*Berke )**

Education - As introduced, requires the department of education to study and report on sufficiency of extended learning opportunities complementary to school curricula that are occurring in the LEAP after school program. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.

**HB 1867 by \*Brown (\*SB 0982 by \*Berke )**

Education - As introduced, requires the department of education to survey LEAs concerning extended learning opportunities in LEAs or communities and to include the results of the survey in the commissioner's annual report. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.

**HB 1868 by \*Brown (\*SB 1320 by \*Berke )**

Education - As introduced, authorizes local boards of education to cooperate with community organizations to provide extended learning opportunities. - Amends TCA Title 49.

**HB 1869 by \*Brown (\*SB 0981 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires the commissioner of education to evaluate the effectiveness of the pilot after school programs funded by the lottery in increasing ACT and SAT scores, eligibility for lottery scholarships, and enrollment in postsecondary institutions. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6.

**HB 1870 by \*Brown (\*SB 0980 by \*Berke )**

Lottery, Scholarships and Programs - As introduced, requires the commissioner of education to file the annual report on the lottery for education after school program's system of competitive grants and technical assistance with the chairs of the house and senate education committees. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 1; Title 49, Chapter 3 and Title 49, Chapter 6.

**HB 1871 by \*Ramsey (\*SB 0806 by \*Overbey )**

Dentists - As introduced, clarifies that duties on health departments that provide certain dental services "to the extent possible within budget limitations" are not relieved of obligation to provide certain services to indigent adult patients. - Amends TCA Title 68, Chapter 1.

**HB 1872 by \*Ramsey (\*SB 1179 by \*Tracy )**

Dentists - As introduced, provides for revocation of licenses or certificates of a dentist, dental hygienist, or dental assistant if the licensee or registrant fails to pay license or registration fee within 90 days, instead of 60 days, after such fee becomes due. - Amends TCA Title 63.

**HB 1873 by \*Brown (\*SB 1321 by \*Berke )**

Education - As introduced, requires parent involvement plans to include plans for improvement in parent and teacher cooperation with regard to planning for higher education opportunities. - Amends TCA Title 49.

**HB 1874 by \*Brown (\*SB 1319 by \*Berke )**

Local Education Agency - As introduced, requires each LEA to institute gang awareness education for elementary and middle school students and their parents if the LEA finds "any," instead of a "substantial," threat to or influence on school children by gangs. - Amends TCA Title 37; Title 38; Title 39; Title 40 and Title 49.

**HB 1875 by \*Brown (\*SB 1673 by \*Ford, O. )**

Public Records - As introduced, protects as confidential, any electronic mail messages or attachments between a member, member-elect, or general assembly staff and a constituent. - Amends TCA Title 3, Chapter 1, Part 1 and Title 10, Chapter 7.

(House Bills cont.)

**HB 1876 by \*Matheny (\*SB 1623 by \*Beavers )**

Consumer Protection - As introduced, excludes prepaid cards that are usable with multiple, unaffiliated sellers of goods or services and/or ATM machines from the gift certificate statute. - Amends TCA Title 47, Chapter 18, Part 1.

**HB 1877 by \*Richardson (\*SB 1214 by \*Black )**

Hospitals and Health Care Facilities - As introduced, clarifies that existing residents as well as new admissions qualify for hospice care in an assisted-care living facility; clarifies that hospice services are pursuant to a patient care plan. - Amends TCA Title 68.

**HB 1878 by \*McDaniel (\*SB 0785 by \*Overbey )**

Taxes, Inheritance Gift - As introduced, eliminates distinction between Class A and Class B donees for gift tax purposes; increases gift tax exemption by linking Tennessee to federal exemption level. - Amends TCA Title 67, Chapter 8, Part 1.

**HB 1879 by \*McDaniel (\*SB 1699 by \*Overbey )**

Taxes, Inheritance Gift - As introduced, establishes lifetime exclusion for Tennessee gift tax equal to federal lifetime gift tax exclusion. - Amends TCA Title 67, Chapter 8, Part 1 and Title 67, Chapter 8, Part 3.

**HB 1880 by \*McCormick, Hensley (\*SB 2007 by \*Black )**

State Government - As introduced, transfers bomb and arson section within the department of commerce and insurance to the Tennessee bureau of investigation. - Amends TCA Title 38, Chapter 6 and Title 68, Chapter 102.

**\*HB 1881 by \*McCormick (SB 2051 by \*Watson )**

County Government - As introduced, expands county powers shared with municipalities for Hamilton County by a two-thirds vote to include the power granted to municipalities by § 6-2-201(30) concerning the ability to regulate, tax, license, or suppress the keeping or going at large of animals; the exercise of such power is limited to the unincorporated areas of the county. - Amends TCA Section 5-1-118.

**\*HB 1882 by \*Barker**

Special License Plates - As introduced, reallocates proceeds from Masons new specialty earmarked plates, with 88 percent of such revenue allocated to Masonic Widows and Orphans' Home of Tennessee and 12 percent of such revenue allocated to arts commission. - Amends TCA Title 55, Chapter 4.

**HB 1883 by \*Harrison (\*SB 2004 by \*Overbey )**

Health, Dept. of - As introduced, urges the department to undertake an analysis to assist the legislature in determining the future direction of licensing and oversight of methadone maintenance programs and to share any findings, if so undertaken, with the governor and the health and human resources committee of the house and the general welfare, health and human resources committee of the senate. - Amends TCA Title 68, Chapter 11.

**HB 1884 by \*Turner L, Miller L, Cooper B, Jones U (\*SB 1481 by \*Ford, O. )**

Animals and Animal Cruelty - As introduced, requires landlords and mortgage holders to notify animal control entity or animal shelter if vacated property contains abandoned animals. - Amends TCA Title 39, Chapter 14, Part 2.

**\*HB 1885 by \*Turner L, Miller L, Towns, Jones U**

Animals and Animal Cruelty - As introduced, requires landlords and mortgage holders to notify animal control entity or animal shelter if vacated property contains abandoned animals. - Amends TCA Title 39, Chapter 14, Part 2.

**HB 1886 by \*Turner L, Miller L, Cooper B, Towns, Jones U (\*SB 1482 by \*Ford, O. )**

Criminal Offenses - As introduced, sets minimum confinement periods for domestic assault convictions and makes the fourth or subsequent conviction a Class E felony. - Amends TCA Section 39-13-111.

**HB 1887 by \*Turner L, Miller L, Towns, Jones U (\*SB 1479 by \*Ford, O. )**

Criminal Offenses - As introduced, establishes minimum periods of confinement for violations of a restraining order and makes a fourth violation a Class E felony. - Amends TCA Section 39-13-113.

**HB 1888 by \*Turner L, Miller L, Cooper B, Towns, Jones U (\*SB 1672 by \*Ford, O. )**

Funeral Directors and Embalmers - As introduced, extends licensure period from two to four years; authorizes executive director of board of funeral directors and embalmers to grant application for license renewal or reinstatement received beyond the prescribed expiration date upon a finding that a licensee was not aware of the receipt of such written notice due to illness. - Amends TCA Title 62, Chapter 5.

(House Bills cont.)

- HB 1889** by \*Turner L, Miller L, Cooper B, Towns, Jones U (\*SB 1480 by \*Ford, O. )  
Funeral Directors and Embalmers - As introduced, requires medical certification to be completed and signed by authorized person before a funeral director, or person acting as a funeral director, takes custody of the body. - Amends TCA Title 68, Chapter 3, Part 5 and Title 68, Chapter 4.
- HB 1890** by \*Turner L, Miller L, Cooper B, Towns, Jones U (\*SB 1478 by \*Ford, O. )  
Sentencing - As introduced, provides that certain Class B felony offenders shall be ineligible for probation and must serve a prescribed minimum period of incarceration prior to receiving any type of supervised or unsupervised release into the community. - Amends TCA Title 39, Chapter 13; Title 39, Chapter 14 and Title 40.
- HB 1891** by \*Turner L, Cooper B, Jones U (\*SB 1477 by \*Ford, O. )  
Criminal Offenses - As introduced, creates a rebuttable presumption that strangulation causes serious bodily injury and defines strangulation as using one's hands or other means to impede or attempt to impede the normal breathing or circulation of another by applying pressure to the neck. - Amends TCA Section 39-13-102.
- HB 1892** by \*Coleman (\*SB 1715 by \*Overbey )  
Judges and Chancellors - As introduced, rewrites various provisions of the judicial selection and judicial evaluation provisions. - Amends TCA Title 4, Chapter 29; Title 16 and Title 17.
- \*HB 1893** by \*Coleman  
Taxes, Income - As introduced, requires distribution of 3/8 of revenue from Hall income tax to counties on a per capita basis instead of to counties and municipalities based upon the residence of the taxpayer; remaining 5/8 continues to be distributed to general fund. - Amends TCA Section 67-2-119.
- \*HB 1894** by \*Coleman  
Taxes, Income - As introduced, requires distribution of 3/8 of revenue from Hall income tax for higher education capital projects instead of to counties and municipalities based upon the residence of the taxpayer; remaining 5/8 continues to be distributed to general fund. - Amends TCA Section 67-2-119.
- HB 1895** by \*Haynes (\*SB 1552 by \*Burchett )  
Physicians and Surgeons - As introduced, requires a physician who agrees to serve as an "on call" physician to arrive within one hour of being called. - Amends TCA Title 63.
- HB 1896** by \*Haynes (\*SB 0504 by \*Burchett )  
Traffic Safety - As introduced, requires Governor's Highway Safety Office, in conjunction with departments of safety and transportation, to develop and implement public awareness campaign to educate motorists about dangers of using hand-held communication devices while driving. - Amends TCA Title 55, Chapter 20, Part 1.
- \*HB 1897** by \*Shipley (SB 2029 by \*Yager )  
Energy - As introduced, establishes a pilot program for the development and testing of coal to liquid fuels technology and coal to carbonite technology production techniques and conversion technology. - Amends TCA Title 4; Title 7; Title 13; Title 49; Title 59 and Title 67.
- \*HB 1898** by \*Tidwell, Pitts (SB 2057 by \*Barnes, Jackson, Yager )  
Transportation, Dept. of - As introduced, requires TDOT to ensure share of federal stimulus funds for transportation are allocated directly to rural planning organizations in proportion to population. - Amends TCA Title 54.
- \*HB 1899** by \*Pitts (SB 2055 by \*Barnes )  
Workers Compensation - As introduced, changes the effective date of Chapter 1041 of the Public Acts of 2008 from December 31, 2009, to July 1, 2012. - Amends Chapter 1041 of the Public Acts of 2008.
- HB 1900** by \*Pitts (\*SB 2018 by \*Barnes )  
Sexual Offenders - As introduced, removes exemptions that allow sexual offender to be temporarily on school grounds, during school hours, to attend an academic conference or school event; to drop off or pick up a child; or to make a mail, food, or other such delivery. - Amends TCA Title 40, Chapter 39, Part 2.
- HB 1901** by \*Pitts (\*SB 2009 by \*Barnes )  
Travel Regulations - As introduced, requires state mileage rate to be set by department of finance and administration in amount at least 90 percent of the standard mileage rate allowed by IRS as deduction for taxpayer's use of automobile for business expense purpose. - Amends TCA Title 4, Chapter 3, Part 10.
- \*HB 1902** by \*Fitzhugh  
Bond Issues - As introduced, authorizes the state to issue bonds to fund grants for certain projects. -



(House Rills cont.)

**\*HB 1903 by \*Fitzhugh**

Appropriations - As introduced, appropriates funds for 2008-2009 fiscal year. -

**HB 1904 by \*Ferguson (SB 2028 by \*Yager )**

Harriman - As introduced, subject to local approval, makes certain changes to the charter of the City of Harriman. - Amends Chapter 165 of the Private Acts of 1917; as amended.

**\*HB 1905 by \*Curtiss, Shepard (SB 2079 by \*Ketron )**

Purchasing - As introduced, creates a mechanism for local governmental units to purchase goods and services through a competitive reverse auction process after filing a plan with the comptroller to document internal controls to ensure the integrity of the process. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64 and Title 68.

**HB 1906 by \*Curtiss, McCormick (\*SB 0692 by \*Southerland )**

Insurance, Health, Accident - As introduced, enacts the "Preferred Provider Organization Transparency Act." - Amends TCA Title 56.

**HB 1907 by \*Curtiss, McCormick (\*SB 0693 by \*Southerland )**

Insurance, Health, Accident - As introduced, enacts the "Preferred Provider Organization Transparency Act." - Amends TCA Title 56.

**HB 1908 by \*McManus (\*SB 1977 by \*Burchett )**

Telecommunications - As introduced, authorizes pole attachments at just and reasonable rates to municipally owned utilities' and rural cooperatively-owned utilities' poles by telecommunications service providers and cable operators. - Amends TCA Section 65-21-105.

**HB 1909 by \*Johnson C (\*SB 1970 by \*Norris )**

Taxes, Excise - As introduced, creates exemption from excise and franchise tax for certain entities owned by a branch of the U.S. armed forces that derive more than half of gross income from operation of facilities on federally owned or leased property for armed forces members. - Amends TCA Title 67, Chapter 2 and Title 67, Chapter 4.

**\*HB 1910 by \*Johnson C (SB 2056 by \*Barnes )**

School Transportation - As introduced, permits Montgomery County upon adoption of a resolution by two thirds of the county commission to use Type D transit buses for 15 years or for up to 17 years, if the number of miles traveled does not exceed 225,000. - Amends TCA Title 49, Chapter 6, Part 21.

**HB 1911 by \*Johnson C (\*SB 1997 by \*Norris )**

Education - As introduced, enacts the "Interstate Compact on Educational Opportunity for Military Children." - Amends TCA Title 49.

**\*HB 1912 by \*Armstrong (SB 2066 by \*Overbey )**

Solid Waste Disposal - As introduced, amends the Landfill Methane Development Act to identify certain circumstances and purposes for which refined, landfill methane shall be deemed to be natural gas. - Amends TCA Title 65, Chapter 28, Part 2.

**HB 1913 by \*Tindell (\*SB 1958 by \*Burchett )**

Taxes, Sales - As introduced, reduces from 90 to 60 days period in which dealer can be reimbursed on refunded item for sales tax collected but not yet remitted to commissioner. - Amends TCA Title 67, Chapter 6.

**\*HB 1914 by \*Armstrong (SB 2031 by \*Burchett )**

Mental Illness - As introduced, authorizes a releasing facility and qualified mental health professional to consult with certain additional adult family members in developing an outpatient treatment plan. - Amends TCA Title 33.

**\*HB 1915 by \*Jones U (SB 2053 by \*Tate )**

Domestic Violence - As introduced, modifies the definition of domestic violence victim. - Amends TCA Title 36, Chapter 3, Part 6 and Section 39-13-111.

**HB 1916 by \*Lynn, Harwell (\*SB 1674 by \*Johnson, Gresham )**

Labor - As introduced, enacts the "Secret Ballot Protection Act of 2009". - Amends TCA Title 47; Title 49 and Title 50, Chapter 1.

**HB 1917 by \*Brooks H (\*SB 2030 by \*Burchett )**

Education - As introduced, requires the department of education to explore with the Tennessee congressional delegation and the United States department of education modification of No Child Left Behind determination of who is a dropout for students who receive a GED and score well on certain assessments. - Amends TCA Title 49.

(House Bills cont.)

**HB 1918 by \*Brooks H (\*SB 0489 by \*Burchett )**

Short Term Loans and Lenders - As introduced, sets the maximum effective rate of interest a title pledge lender may charge at 2 percent per month; permits reimbursement for necessary expenses incurred in securing and collecting the title pledge in an amount not to exceed 4 percent of the gross amount of the title pledge. - Amends TCA Title 45, Chapter 15.

**HB 1919 by \*Montgomery (\*SB 0786 by \*Overbey )**

Alcoholic Beverage Commission - As introduced, requires alcoholic beverage commission to study distribution of alcohol taxes to local governments based on number of public school students, and submit findings and recommendations for redistribution to senate and house finance committees. - Amends TCA Title 57, Chapter 4, Part 3.

**HB 1920 by \*Montgomery (\*SB 0787 by \*Overbey )**

Planning, Public - As introduced, deletes the authorization in present law that two or more central business improvement districts may overlap and encompass some or all of the same properties. - Amends TCA Title 7, Chapter 84.

**HB 1921 by \*Montgomery (\*SB 1706 by \*Overbey )**

Municipal Government - As introduced, clarifies the authority of the legislative body of a municipality to approve the acquisition of a public facility that had been improved or constructed by a third party and to issue revenue bonds to finance all costs and expenses incurred in connection with the acquisition of the facilities. - Amends TCA Title 7, Chapter 32 and Title 7, Chapter 33.

**HB 1922 by \*Pitts, Eldridge, Curtiss, Johnson P (\*SB 0883 by \*Ketron )**

Mobile Homes and Manufactured Buildings - As introduced, revises provisions concerning manufactured homes affixed to real property including cancellation of certificate of title. - Amends TCA Section 55-3-138.

**HB 1923 by \*Fincher (\*SB 2036 by \*Jackson )**

Domestic Violence - As introduced, requires judge, when addressing a defendant who intends to plead guilty to a charge of domestic assault, to advise the defendant prior to the plea of the state and federal firearms consequences of such a plea. - Amends TCA Title 39, Chapter 13, Part 1.

**HB 1924 by \*Fincher (\*SB 1908 by \*Jackson )**

Firearms and Ammunition - As introduced, enacts the "Second Amendment Protection Act" prohibiting the sale of microstamped firearms or ammunition in this state. - Amends TCA Title 39, Chapter 17, Part 13.

**HB 1925 by \*Harmon (\*SB 1873 by \*Kyle )**

Special License Plates - As introduced, authorizes issuance of hummingbird awareness new specialty earmarked plate; allocates 50 percent of funds produced from sale thereof to wildlife resources fund. - Amends TCA Title 4; Title 54; Title 55; Title 65 and Title 67.

**HB 1926 by \*Richardson (\*SB 0749 by \*Marrero B )**

Banks and Financial Institutions - As introduced, requires a lender of a high-cost home loan to verify that the borrower has received appropriate housing counseling. - Amends TCA Title 45, Chapter 20, Part 1.

**\*HB 1927 by \*Fincher (SB 2062 by \*Burks )**

Insurance, Health, Accident - As introduced, makes failing to accept a licensed physician in good standing into a network and pay fair market value an unfair trade practice. - Amends TCA Title 56.

**HB 1928 by \*Hensley**

Lewis County - As introduced, subject to local approval, authorizes the county legislative body to approve or disapprove certain solid waste facilities based on specific criteria. -

**\*HB 1929 by \*Ford Highway Signs - As introduced, "Bob Good Memorial Bridge," Interstate 26 and State Route 381 interchange in Washington County. -**

**\*HB 1930 by \*Bone (SB 2063 by \*Burks )**

Food and Food Products - As introduced, clarifies that certain homemade foods may be sold at farmers' markets; exempts preparer and seller of such foods from certain food regulations. - Amends TCA Title 53.

**\*HB 1931 by \*Bone, Cobb T**

Limitation of Actions - As introduced, limits tort liability of agritourism professionals under certain circumstances. - Amends TCA Title 43 and Title 70, Chapter 7.

(House Bills cont.)

**\*HB 1932 by \*Jones U (SB 2067 by \*Marrero B )**

Funeral Directors and Embalmers - As introduced, exempts municipalities and counties from meeting the requirements for funeral directing for burials of human remains in municipally or county-owned cemeteries if no charge is made for the burial and the cemeteries are not operated for profit. - Amends TCA Title 62, Chapter 5, Part 1.

**\*HB 1933 by \*Jones U**

Taxes, Exemption and Credits - As introduced, authorizes conveyance of certain property purchased at tax sale by Shelby County, or included municipality, to adjoining property owners upon actual or in-kind payments of property's fair market value. - Amends TCA Section 67-5-2509(d).

**HB 1934 by \*Tidwell (\*SB 1759 by \*Herron )**

Highway Signs - As introduced, "Dr. Gordon Turner Memorial Highway," segment of State Route 13 in Perry County. -

**HB 1935 by \*Camper (\*SB 1834 by \*Kyle )**

Guns - As introduced, establishes the super bounty fund and enacts the "Tennessee Gun Offender Registration, Verification, and Tracking Act of 2009." - Amends TCA Title 39 and Title 40.

**HB 1936 by \*Coleman (\*SB 2035 by \*Jackson )**

Courts, Supreme Court of Tennessee - As introduced, enacts the "Supreme Court Voter-Owned Elections Act." - Amends TCA Title 2, Chapter 10.

**HB 1937 by \*Coleman, McManus, Shepard, Montgomery (\*SB 1710 by \*Overbey )**

Securities - As introduced, clarifies that any difference in voting, dividend, liquidation, conversion, preference, or redemption rights constitutes a different class of stock as compared to other securities issued by a corporation. - Amends TCA Section 48-16-101.

**\*HB 1938 by \*Matheny (SB 2075 by \*Burchett )**

Junk Dealers and Junkyards - As introduced, decreases penalty for Class A misdemeanor offense of unlawful sale of air conditioner evaporator coil or condenser to a Class C fine only misdemeanor if the defendant is certified to repair and install HVAC equipment. - Amends TCA Title 62, Chapter 9.

**HB 1939 by \*Lundberg (\*SB 1199 by \*Tracy )**

Hospitals and Health Care Facilities - As introduced, requires a facility, within seven days of notice of the unexpected loss of a nursing home administrator, to notify the members of the general assembly in whose district the nursing home is located. - Amends TCA Title 29 and Title 68.

**HB 1940 by \*Lundberg, Dennis (\*SB 1287 by \*Bunch )**

Homestead Exemptions - As introduced, revises homestead exemption of \$25,000 for person with a minor child in household to include married persons with a minor child in the household. - Amends TCA Title 26, Chapter 2.

**HB 1941 by \*Tidwell (\*SB 2069 by \*Barnes )**

Highways, Roads and Bridges - As introduced, requires commissioner of tourist development to report annually to the transportation committees on recommendations of additions to the state scenic roadway system; requires consideration be given to roads that bicyclists can safely enjoy. - Amends TCA Title 54, Chapter 17, Part 1.

**HB 1942 by \*Favors (\*SB 0860 by \*Black )**

Hospitals and Health Care Facilities - As introduced, adds an authorization for the department of health to designate patient safety organizations to the Health Data Reporting Act of 2002. - Amends TCA Title 68, Chapter 11.

**HB 1943 by \*Maddox (\*SB 2025 by \*Berke )**

Education, Higher - As introduced, creates the "Forward Thinking for Education Task Force." - Amends TCA Title 49.

**HB 1944 by \*Maddox (\*SB 1866 by \*Kyle )**

General Assembly - As introduced, specifies that expenses of members are paid in accordance with Article II, Section 23 of the Constitution of Tennessee. - Amends TCA Section 3-1-106.

**HB 1945 by \*Maddox (\*SB 1863 by \*Kyle )**

Lottery, Charitable - As introduced, reduces annual event application fee from not more than \$700 to not more than \$650. - Amends TCA Title 3, Chapter 17.

(House Bills cont.)

**\*HB 1946 by \*Maddox**

Growth and Development - As introduced, specifies that if the regional area outside of the municipal boundaries is less than 50 percent of the entire regional area then only one member of a municipal planning commission shall be appointed from the regional area outside the municipal boundaries regardless of the number of members on a municipal planning commission designated as a regional planning commission. - Amends TCA Section 13-3-102.

**HB 1947 by \*Shaw (\*SB 1741 by \*Marrero B )**

Taxes, Internet and e-Commerce - As introduced, creates presumption that person making sale of tangible personal property to persons in this state that have been solicited by independent contractors or other representatives in Tennessee is responsible for sales tax on such sale. - Amends TCA Title 67, Chapter 6, Part 2.

**HB 1948 by \*Fitzhugh (\*SB 1877 by \*Kyle )**

Taxes, Sales - As introduced, increases computer exemption during recurring August sales tax holiday from \$1,500 to \$1,700; deletes obsolete language for spring sales tax holiday. - Amends TCA Title 67.

**HB 1949 by \*Fitzhugh (\*SB 1872 by \*Kyle )**

Pensions and Retirement Benefits - As introduced, broadens authorized uses of annual leave, compensatory leave, and sick leave upon retirement. - Amends TCA Title 8.

**HB 1950 by \*Fitzhugh (\*SB 1162 by \*Finney L )**

Economic and Community Development - As introduced, requires the commissioner of community and economic development to study the effectiveness of municipal and regional planning activity for economic development and to report to the general assembly by January 15, 2010. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 66 and Title 67.

**HB 1951 by \*Cobb T, Odom, Turner M, Bone, Borchert, Yokley (\*SB 1867 by \*Kyle )**

State Employees - As introduced, authorizes departments and agencies to elect to participate in a smoking cessation program for employees, including payment of one round of medication, within available funding; requires commissioner of health to provide uniform guidelines for such program. - Amends TCA Title 8 and Title 68.

**HB 1952 by \*Fitzhugh (\*SB 1864 by \*Kyle )**

Budget Procedures - As introduced, requires bill increasing cost to local governments to be funded by amendment to appropriations act that contains new revenue or offsetting reduction in appropriation to fund state share of cost of such bill. - Amends TCA Title 3; Title 4 and Title 9.

**HB 1953 by \*Armstrong, Tindell, Niceley, Dunn, Brooks H, Haynes (\*SB 2015 by \*Burchett )**

Taxes, Litigation - As introduced, authorizes the county legislative body of Knox County by a two-thirds vote to levy as court costs an additional litigation tax of \$1.00 up to a maximum of \$5.00 for each petition, warrant and citation, including warrant and citation for traffic offense, filed in the general sessions and juvenile courts; such tax may be increased yearly by \$1.00. - Amends TCA Section 16-20-106.

**HB 1954 by \*Tindell (\*SB 1876 by \*Kyle )**

Lottery, Charitable - As introduced, requires annual event tickets to include either the mailing address or telephone number of the 501(c)(3) organization in addition to the name of the 501(c)(3) organization. - Amends TCA Title 3, Chapter 17.

**HB 1955 by \*Tindell (\*SB 1878 by \*Kyle )**

Taxes, Franchise - As introduced, increases franchise and excise tax credit for financial institutions donating to the Tennessee rural development opportunity fund from 10 percent of contribution to 12.5 percent of contribution. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

**HB 1956 by \*Tindell (\*SB 1861 by \*Kyle )**

Pensions and Retirement Benefits - As introduced, allows TCRS members to designate more than one person as beneficiary beginning January 1, 2010. - Amends TCA Title 8, Chapter 36.

**HB 1957 by \*Tindell, Jones U, Todd, Miller L (\*SB 1276 by \*Bunch )**

Municipal Government - As introduced, provides that any municipal electric system that provides cable or Internet services shall be subject to regulation by the Tennessee regulatory authority. - Amends TCA Title 7, Chapter 52, Part 6.

(House Bills cont.)

**HB 1958 by \*Kernell (\*SB 2068 by \*Marrero B )**

Conservation - As introduced, authorizes county conservation boards, upon majority vote of membership, to meet no less frequently than quarterly rather than monthly. - Amends TCA Section 11-21-103.

**HB 1959 by \*Bass (\*SB 1932 by \*Norris )**

Handgun Permits - As introduced, includes handgun carry permits in definition of "motor vehicle record" for purposes of the "Uniform Motor Vehicle Records Disclosure Act." - Amends TCA Title 55, Chapter 25, Part 1.

**HB 1960 by \*Bass (\*SB 1930 by \*Norris )**

Safety, Dept. of - As introduced, requires the department to keep personal information obtained in connection with handgun permits confidential to same extent as information in motor vehicle records. - Amends TCA Section 55-25-104.

**\*HB 1961 by \*Shipley (SB 2073 by \*Southerland )**

Criminal Procedure - As introduced, expands the grounds upon which a search warrant may be issued to include reasonable suspicion of an act or terrorism. - Amends TCA Title 38; Title 39 and Title 40.

**HB 1962 by \*Johnson P (\*SB 1215 by \*Black )**

Tobacco, Tobacco Products - As introduced, modifies various provisions within the Prevention of Youth Access to Tobacco Act. - Amends TCA Title 39, Chapter 17, Part 15.

**\*HB 1963 by \*Sargent**

Workers Compensation - As introduced, imposes certain penalties on employers and employees in certain cases involving employees not authorized to work in the U.S. under federal immigration laws. - Amends TCA Title 50, Chapter 6 and Title 56.

**\*HB 1964 by \*Sargent (SB 2081 by \*Johnson )**

Workers Compensation - As introduced, limits claims by employees for certain injuries arising in time up through settlement approval or final trial order for an existing claim even if the injury occurred during medical treatment. - Amends TCA Title 50, Chapter 6 and Title 56.

**HB 1965 by \*McCormick, Sargent (\*SB 1284 by \*Bunch )**

TennCare - As introduced, requires recipients of TennCare benefits to provide written notice to the state prior to an attempt to recover reimbursement costs from a third party. - Amends TCA Title 71.

**HB 1966 by \*McCormick, Sargent (\*SB 1286 by \*Bunch )**

Insurance Companies, Agents, Brokers, Policies - As introduced, requires insurance companies to establish grievance and appeals processes for review of coverage and payment determinations. - Amends TCA Title 56, Chapter 32 and Title 56, Chapter 7.

**HB 1967 by \*McCormick, Sargent (\*SB 1366 by \*Johnson )**

Insurance Companies, Agents, Brokers, Policies - As introduced, authorizes insured or other persons entitled to benefits under policy of insurance issued for coverage of health care rendered by certain providers to assign such benefits to health care provider, regardless of when the benefits were provided. - Amends TCA Title 56.

**HB 1968 by \*McCormick, Sargent (\*SB 1407 by \*Ketron )**

Health Care - As introduced, clarifies that "patient" includes person who is in need of psychiatric care. - Amends TCA Title 68.

**HB 1969 by \*McCormick, Sargent (\*SB 1408 by \*Ketron )**

Chiropractors - As introduced, requires one consumer member of board of chiropractic examiners to have five years professional experience as a licensed physician. - Amends TCA Title 63.

**HB 1970 by \*Barker (\*SB 1809 by \*Herron )**

Game and Fish Laws - As introduced, permits coyote hunting at night in Lake County. - Amends TCA Title 70, Chapter 4, Part 1.

**HB 1971 by \*Barker (\*SB 1808 by \*Herron )**

Game and Fish Laws - As introduced, permits coyote hunting at night in Lake County. - Amends TCA Title 70, Chapter 4, Part 1.

**HB 1972 by \*Harmon, McCord (\*SB 1107 by \*Stewart )**

Water Resources - As introduced, enacts "Tennessee Water Conservation and Drought Preparedness Act of 2009." - Amends amend TCA Title 4, Chapter 3, Part 5; Title 5; Title 6; Title 7; Title 65; Title 67; Title 68 and Title 69.

(House Rills cont.)

**HB 1973 by \*Casada (\*SB 1378 by \*Johnson )**

Courts, Supreme Court of Tennessee - As introduced, prohibits the judicial selection commission from meeting in private. - Amends TCA Title 16, Chapter 3; Title 16, Chapter 4; Title 16, Chapter 5; Title 17, Chapter 4, Part 1 and Title 17, Chapter 4, Part 2.

**HB 1974 by \*Casada (\*SB 1920 by \*Johnson )**

Criminal Procedure - As introduced, increases from \$50.00 to \$60.00 the fee charged a person making an application to have criminal record expunged. - Amends TCA Title 40, Chapter 32.

**HB 1975 by \*Casada (\*SB 1565 by \*Johnson )**

Judges and Chancellors - As introduced, revises composition of judicial selection commission; prohibits members from being reappointed; requires judicial candidates to receive 60 percent of votes cast to be retained in office. - Amends TCA Title 17, Chapter 4, Part 2 and Title 17, Chapter 4, Part 1.

**HB 1976 by \*Fitzhugh, Eldridge, Naifeh, Shaw (\*SB 2038 by \*Norris )**

Sewage - As introduced, includes wastewater facilities within the definition of local government for certain purposes. - Amends TCA Title 4, Chapter 31 and Title 68, Chapter 221.

**HB 1977 by \*Fitzhugh, Tindell (\*SB 2044 by \*McNally, Henry, Burchett )**

Public Funds and Financing - As introduced, authorizes Hamilton, Knox, Davidson and Shelby counties to sell bonds at private sale, until June 30, 2010. - Amends TCA Title 9, Chapter 21.

**HB 1978 by \*Fitzhugh (\*SB 2050 by \*McNally, Henry, Burchett )**

Local Government, General - As introduced, enacts the "Local Government Electronic Technology Act of 2009." -

**HB 1979 by \*Fitzhugh (\*SB 2049 by \*McNally, Henry, Burchett )**

Utilities, Utility Districts - As introduced, reduces from three to two the number of consecutive years a utility district, water system, or wastewater facility must have a negative change in net assets in order to be considered financially distressed. - Amends TCA Section 7-82-703; Section 7-82-401 and Section 68-221-1010.

**HB 1980 by \*Fitzhugh (\*SB 2048 by \*McNally, Henry, Burchett )**

State Government - As introduced, adds the governor, secretary of state, state treasurer, comptroller, and commissioner of finance and administration as ex officio members of the Tennessee local development authority. - Amends TCA Title 4, Chapter 31, Part 1.

**HB 1981 by \*Fitzhugh (\*SB 2047 by \*McNally, Henry )**

Water - As introduced, authorizes the Tennessee local development authority to charge administrative fees and expenses under the Wastewater Facilities Act of 1987 and the Drinking Water Revolving Loan Fund Act of 1997. - Amends TCA Title 68.

**HB 1982 by \*Fitzhugh (\*SB 2046 by \*McNally, Henry, Burchett )**

Water - As introduced, authorizes the entering into of loan and grant agreements between the Tennessee local development authority and local government units from funds provided by the federal American Recovery and Reinvestment Act of 2009. - Amends TCA Title 4, Chapter 31 and Title 68, Chapter 221.

**HB 1983 by \*Fitzhugh (\*SB 2045 by \*McNally, Henry, Burchett )**

Public Funds and Financing - As introduced, authorizes the state funding board to cancel certain bonds that were authorized to be issued. -

**HB 1984 by \*Fitzhugh (\*SB 2043 by \*McNally, Henry, Burchett )**

Public Funds and Financing - As introduced, includes in the definition of "public deposits" certain funds held by a bond trustee; authorizes the investment of such funds in the pooled investment fund or local government investment pool. - Amends TCA Title 9, Chapter 4.

**HB 1985 by \*Fitzhugh (\*SB 2042 by \*McNally )**

Auditing - As introduced, requires that certain meetings of an audit committee abide by public notice and public meeting provisions; authorizes confidential meetings in certain circumstances; classifies certain audit-related documents as confidential. - Amends TCA Title 10, Chapter 7, Title 9, Chapter 3 and Title 4, Chapter 3.

**\*HB 1986 by \*Shipley, Hill (SB 2080 by \*Johnson )**

Remedies and Special Proceedings - As introduced, deletes existing false claims statutes and replaces them with a revised false claims statute; requires a mechanism for establishing the primacy of certain insurance claims. - Amends TCA Title 4; Title 50; Title 56 and Title 71.

(House Bills cont.)

**HB 1987 by \*Fitzhugh (\*SB 2041 by \*McNally )**

Public Funds and Financing - As introduced, requires the state funding board to report the total funds received under the federal American Recovery and Reinvestment Act of 2009 to the chairs of the house and senate finance, ways and means committees by January 2, 2010. - Amends TCA Title 4 and Title 9.

**HB 1988 by \*Fitzhugh (\*SB 2040 by \*McNally )**

Public Funds and Financing - As introduced, requires the state school bond authority to report the total funds received under the federal American Recovery and Reinvestment Act of 2009 to the chairs of the senate and house finance, ways and means committees by January 2, 2010. - Amends TCA Title 4 and Title 49.

**HB 1989 by \*Fitzhugh (\*SB 2039 by \*Norris )**

Taxes, Real Property - As introduced, requires county trustee to submit plan to comptroller regarding partial tax payments prior to the trustee's accepting partial payment of property taxes. - Amends TCA Title 67, Chapter 5.

**HB 1990 by \*Fitzhugh (\*SB 2037 by \*Norris )**

Taxes, Real Property - As introduced, revises provisions governing the notice to be given prior to enforcing a lien for uncollected property taxes; removes certain county exclusions from requirement. - Amends TCA Title 67, Chapter 5.

**HB 1991 by \*Shepard (\*SB 0871 by \*Marrero B )**

Insurance, Health, Accident - As introduced, permits children of insured to continue health insurance coverage until age 30 in certain circumstances. - Amends TCA Title 56.

**\*HB 1992 by \*Shepard (SB 2077 by \*Ketron )**

Alcoholic Beverages - As introduced, deletes residency requirements for wholesalers, retailers, and wineries. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

**HB 1993 by \*Sargent (\*SB 1364 by \*Johnson )**

Insurance Companies, Agents, Brokers, Policies - As introduced, allows trade association that has an agreement with pool participants for liability insurance to operate by constitution, bylaws, or an operating agreement. - Amends TCA Title 50.

**HB 1994 by \*Litz (\*SB 1918 by \*Finney L )**

Tennessee Regulatory Authority - As introduced, reduces time period, from 30 days to 20 days, from date of filing petition within which Tennessee regulatory authority is required to dispose of such petition. - Amends TCA Title 65, Chapter 1; Title 65, Chapter 2; Title 65, Chapter 28 and Title 65, Chapter 4.

**HB 1995 by \*Litz (\*SB 1865 by \*Kyle )**

Wildlife Resources Commission - As introduced, increases punishment for knowingly hunting, killing, trapping, ensnaring, destroying, or possessing an albino deer from Class B to Class A misdemeanor punishable by fine only. - Amends TCA Title 70.

**\*HB 1996 by \*Bone**

Tobacco Master Settlement Agreement - As introduced, requires posting of a bond in order for a non-participating manufacturer to be included in the directory of tobacco product manufacturers. - Amends TCA Title 67, Chapter 4, Part 26.

**\*HB 1997 by \*West**

Employees, Employers - As introduced, requires employers to report to department of human services certain identifying information regarding employment of subcontractors and independent contractors. - Amends TCA Title 36, Chapter 5, Part 11.

**HB 1998 by \*Curtiss (\*SB 1362 by \*Johnson )**

TennCare - As introduced, requires providers of medical transportation for TennCare enrollees to be reimbursed by the bureau of TennCare and its MCOs for eligible services at 80 percent of current Medicare reimbursement. - Amends TCA Title 71, Chapter 5.

**HB 1999 by \*Curtiss (\*SB 1361 by \*Johnson )**

TennCare - As introduced, changes limitation on Medicaid reimbursements to physician assistants from not exceeding 60 percent of reimbursements to physicians to not exceeding 70 percent of such reimbursements. - Amends TCA Title 56 and Title 71.

**HB 2000 by \*Curtiss (\*SB 1589 by \*Finney L )**

Civil Procedure - As introduced, allows action to be commenced to recover the balance due upon the obligation for which the trust deed was given as security if sale of land to foreclose deed of trust or mortgage sold for less than amount due. - Amends TCA Title 35, Chapter 5.

(House Bills cont.)

**HB 2001 by \*Curtiss (\*SB 0906 by \*Burks )**

Building Commission, State - As introduced, establishes procedure for deducting from amount bid on state building commission project the estimated energy cost savings attributable to bidder's design modifications and proposals. - Amends TCA Title 4.

**\*HB 2002 by \*Curtiss**

Pensions and Retirement Benefits - As introduced, includes bomb and arson special agents among those persons in the TCRS engaged in law enforcement activities on a day-to-day basis having a mandatory retirement age. - Amends TCA Title 8, Chapter 36, Part 2.

**HB 2003 by \*Curtiss (\*SB 0907 by \*Burks )**

Energy - As introduced, requires that providers of services, material, and equipment in state and local building contracts meet energy efficiency standards. - Amends TCA Title 12, Chapter 4.

**HB 2004 by \*Curtiss (\*SB 2072 by \*Burks )**

Disabled Persons - As introduced, revises standards under which the department of human services must seek authorization to provide protective services for disabled adults. - Amends TCA Title 34 and Title 71, Chapter 6.

**HB 2005 by \*McDaniel (\*SB 1595 by \*Stanley )**

Public Contracts - As introduced, enacts the "Freedom in Contracting Act." - Amends TCA Title 12, Chapter 4.

**HB 2006 by \*McDaniel (\*SB 2070 by \*Jackson )**

Special License Plates - As introduced, authorizes issuance of cultural license plates for University of Illinois. - Amends TCA Title 55, Chapter 4.

**HB 2007 by \*McDonald (\*SB 1933 by \*Berke )**

Solid Waste Disposal - As introduced, requires the department of environment and conservation to promulgate rules regulating the disposal and use of coal combustion byproducts. - Amends TCA Title 68, Chapter 211.

**HB 2008 by \*McDonald (\*SB 2017 by \*Barnes )**

Lottery, Scholarships and Programs - As introduced, permits student who is eligible for in-state tuition as child of divorced parents, one of whom is domiciled in Tennessee, to be eligible for HOPE scholarships; provided, that such student meets all applicable academic and nonacademic requirements, other than residency, for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9.

**HB 2009 by \*Mumpower (\*SB 1738 by \*Ramsey )**

Water - As introduced, allows any person receiving an aquatic resource alteration permit that has as a condition of such permit limited hours of withdrawal to request a modification of such permit annually without having to apply for a new permit application from the department of environment and conservation. - Amends TCA Title 68, Chapter 221 and Title 69, Chapter 3.

**HB 2010 by \*Moore (\*SB 1862 by \*Kyle )**

Purchasing - As introduced, creates additional exception to competitive bidding for purchases made on established catalogue price; authorizes participation in multi-state cooperative purchasing arrangements; authorizes utilization of certain techniques in the procurement of state services. - Amends TCA Title 4; Title 12, Chapter 4 and Title 12, Chapter 3.

**HB 2011 by \*Moore (\*SB 0975 by \*Tracy )**

Military - As introduced, requires military department to coordinate statewide wireless interoperable communication system (TnWin); and creates TnWin fund for development of TnWin system statewide. - Amends TCA Title 58, Chapter 1 and Title 58, Chapter 2.

**HB 2012 by \*Harmon (\*SB 1172 by \*Finney L )**

Property - As introduced, increases from three to four years time period owner must not have resided at transferred property to be exempt from residential property disclosure. - Amends TCA Title 66, Chapter 5.

**\*HB 2013 by \*Hawk**

Motor Vehicles, Titling and Registration - As introduced, requires that motor vehicles be registered in county of owner's residence by removing option of registration in county where vehicle is based or is to be operated. - Amends TCA Title 55, Chapter 3; Title 55, Chapter 4; Title 55, Chapter 6 and Section 67-6-202.



(House Bills cont.)

**\*HB 2014 by \*Hawk**

Education - As introduced, changes from September 30 to September 1 the date by which children must reach age four in order to enter preschool or prekindergarten or age five to enter kindergarten. - Amends TCA Title 49, Chapter 6.

**HB 2015 by \*Hawk (\*SB 2020 by \*Faulk )**

Courts, Municipal - As introduced, creates municipal court for any municipality that does not have such a court established by the general assembly. - Amends TCA Title 16, Chapter 18, Part 3.

**\*HB 2016 by \*Sontany, Harwell, Watson (SB 2078 by \*Ketrone, Haynes )**

Architects, Engineers and Designers - As introduced, enacts the "Tennessee Interior Design Act." - Amends TCA Title 62, Chapter 2; Section 62-6-501 and Title 67, Chapter 4, Part 17.

**HB 2017 by \*Sontany (\*SB 2061 by \*Haynes )**

Regulatory Boards - As introduced, corrects cross-reference in code from "§ 68-11-208" to "§ 68-11-209." - Amends TCA Section 62-11-106.

**\*HB 2018 by \*Kelsey**

Courts - As introduced, authorizes the governor to make interim appointments to fill judicial vacancies if the judicial selection commission sunsets on June 30, 2009. -

**HB 2019 by \*Turner M (\*SB 1869 by \*Kyle )**

General Assembly - As introduced, requires joint evaluation committee to meet at least quarterly. - Amends TCA Title 4, Chapter 29.

**HB 2020 by \*Turner M (\*SB 1871 by \*Kyle )**

Lottery, Charitable - As introduced, deletes requirement that members of charitable gaming oversight committee be from different grand divisions. - Amends TCA Title 3, Chapter 15, Part 10; Title 3, Chapter 17, Part 1 and Title 4, Chapter 51.

**HB 2021 by \*Turner M (\*SB 1879 by \*Kyle )**

Redistricting, Congressional - As introduced, requires compliance with state and federal constitutions as well as judicial decisions in passing congressional redistricting plan. - Amends TCA Title 2 and Title 3.

**HB 2022 by \*Turner M (\*SB 1880 by \*Kyle )**

Campaigns and Campaign Finance - As introduced, increases, from two to three years, period of time in which contribution records must be maintained; clarifies that records subject to a completed investigation by the registry may only be destroyed 30 days after successful petition for approval from the registry and if three-year period has elapsed. - Amends TCA Title 2, Chapter 10; Title 3, Chapter 6 and Title 8, Chapter 50.

**HB 2023 by \*Turner M (\*SB 2021 by \*Berke )**

Safety - As introduced, requires all statutorily mandated smoke detectors installed after January 1, 2010, to be photo-electric devices or a combination of ionized and photo-electric. - Amends TCA Section 37-2-412; Title 68, Chapter 102, Part 1; Title 68, Chapter 11 and Title 68, Chapter 120, Part 1.

**HB 2024 by \*Maddox (\*SB 1801 by \*Herron )**

Taxes, Sales - As introduced, reduces the sales tax on Energy Star qualified products to 3.5% and defines Energy Star qualified product. - Amends TCA Title 67, Chapter 6, Part 2.

**\*HB 2025 by \*Maddox**

Real Estate Agents and Brokers - As introduced, permits a principal broker to act as principal broker for two firms as long as both firms are in the same location, which means the firms have the same physical address. - Amends TCA Section 62-13-309.

**HB 2026 by \*Maddox (\*SB 1792 by \*Herron )**

Drugs - As introduced, authorizes random drug testing of students who participate in extracurricular activities. - Amends TCA Section 49-6-4213.

**\*HB 2027 by \*Maddox**

Education, Higher - As introduced, requires the board of regents and the University of Tennessee to report on alcohol and substance abuse reduction programs established on the campuses of their institutions to the senate and house education committees. - Amends TCA Title 33; Title 49 and Title 68.

**HB 2028 by \*Maddox (\*SB 1782 by \*Herron )**

Education, Higher - As introduced, requires every higher education institution's hazing policy to include a one-year suspension for instigating or participating in hazing. - Amends TCA Title 39; Title 40; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

(House Bills cont.)

**HB 2029 by \*Maddox (\*SB 1775 by \*Herron )**

Education, Higher - As introduced, allows counties to adopt and fund financial assistance programs, in particular last dollar scholarship programs, to assist county residents in attending community colleges and other postsecondary institutions; requires state higher education agencies to assist as appropriate in development of such programs. - Amends TCA Title 5 and Title 49.

**HB 2030 by \*Maddox (\*SB 1780 by \*Herron )**

Education, Higher - As introduced, allows employee of a state institution of higher education who also owns or has a substantial interest in a locally owned business to provide goods or services to other employees of the institution even if such employees receive reimbursement from the institution for the purchase of such goods or services. - Amends TCA Title 8; Title 12 and Title 49.

**\*HB 2031 by \*Maddox**

Lottery, Scholarships and Programs - As introduced, permits dependent child of a religious worker who graduates from a high school in the foreign country that is not regionally accredited to eligible for a HOPE scholarship, if the student meets the same requirements as homeschooled religious workers' children who are presently eligible for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9.

**\*HB 2032 by \*Maddox**

Education, Higher - As introduced, requires private institutions of higher education, as public institutions are required, to notify parents or legal guardians of a student under the age of 21 if the student commits a disciplinary violation with respect to use or possession of alcohol or controlled substances. - Amends TCA Section 49-7-146.

**HB 2033 by \*Maddox (\*SB 1825 by \*Herron )**

Education, Higher - As introduced, requires private institutions of higher education, as public institutions are required, to notify parents or legal guardians of a student under the age of 21 if the student commits a disciplinary violation with respect to use or possession of alcohol or controlled substances. - Amends TCA Section 49-7-146.

**HB 2034 by \*Maddox (\*SB 1776 by \*Herron )**

Abuse - As introduced, revises definitions of "adult" and "imminent danger" in the adult protection statute. - Amends TCA Title 71, Chapter 6.

**HB 2035 by \*Dean, McCormick, Floyd, Favors, Brown, Cobb J (SB 2022 by \*Berke )**

Hamilton County - As introduced, subject to local approval, prohibits any purchases that comply with energy efficiencies standards and life cycles costing employed by the state of Tennessee in its procurement policies. - Amends Chapter 156 of the Private Acts of 1941; as amended.

**HB 2036 by \*Hill (\*SB 1922 by \*Bunch )**

Correctional Programs - As introduced, revises statement of legislative intent on prisoner labor and revises release provisions for inmates, including cash allowance. - Amends TCA Title 41.

**\*HB 2037 by \*Sargent**

Financial Responsibility Law - As introduced, requires law enforcement officers to obtain proof of compliance with financial responsibility laws upon charging a person with a motor vehicle violation. - Amends TCA Section 55-12-139.

**\*HB 2038 by \*McCord**

Taxes, Exemption and Credits - As introduced, extends time period, from two years to three years, within which the department of economic and community development may allow a business to make required capital investment to qualify for certain excise tax credit. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 6.

**HB 2039 by \*McCord, Montgomery (\*SB 0791 by \*Overbey )**

Taxes, Sales - As introduced, earmarks certain sales tax revenues from municipalities that are premier type tourist resorts for construction and maintenance of wastewater facilities and projects. - Amends TCA Section 67-6-103(a)(3)(B).

**HB 2040 by \*McCord (\*SB 0789 by \*Overbey )**

Public Health - As introduced, deletes the July 1, 2009, repeal of the codified provisions of 2008 Public Chapter 1027 for certain provisions dealing with rented premises unfit for habitation. - Amends TCA Title 68, Chapter 111.

(House Bills cont.)

**\*HB 2041 by \*McCord**

Landlord and Tenant - As introduced, provides that present law pertaining to rented premises unfit for habitation shall continue until later amended or repealed. - Amends TCA Section 68-111-109 and Chapter 1027 of the Public Acts of 2008.

**HB 2042 by \*McCord (SB 2065 by \*Overbey )**

Blount County - As introduced, subject to local approval, increases the hotel motel tax from 4 percent to 5 percent; redistributes the proceeds. - Amends Chapter 102 of the Private Acts of 1979; as amended.

**\*HB 2043 by \*McCord**

Alcoholic Beverages - As introduced, adds East Fork Stables in Fentress County to the definition of premier type tourist resort. - Amends TCA Section 57-4-102.

**HB 2044 by \*McCord (\*SB 1444 by \*Haynes )**

Alcoholic Beverages - As introduced, lowers duration of residency requirement for issuance of alcoholic beverage retailer license to one year preceeding date of application or five consecutive years any time in the past; removes residency requirement when next of kin of licensee takes over license upon licensee's death. - Amends TCA Title 57.

**HB 2045 by \*McCord, Todd (\*SB 2003 by \*Haynes )**

Election Laws - As introduced, extends time period for requirement of any new voting system purchased or leased to be a system using precinct-based optical scanners from after January 1, 2009, to after June 30, 2009. - Amends TCA Title 2 and Chapter 1108 of the Public Acts of 2008.

**HB 2047 by \*Ferguson (\*SB 2076 by \*Burchett )**

Marriage - As introduced, clarifies that former members of all county legislative bodies may solemnize marriages. - Amends TCA Section 36-3-301.

**HB 2048 by \*Ferguson (\*SB 2074 by \*Burchett )**

Gas, Petroleum Products, Volatile Oils - As introduced, empowers the governor to enter into leasing arrangements to properly develop gas resources of property owned by the state. - Amends TCA Title 12, Chapter 2; Title 60, Chapter 1 and Title 70, Chapter 1.

**HB 2049 by \*Evans, Lynn (\*SB 0122 by \*Ketron )**

Immigrants - As introduced, requires all state agencies and political subdivisions to verify eligibility of all individuals 18 years of age or older before providing public benefits by using the federal "systematic alien verification for entitlements" or "SAVE" program, with limited exceptions. - Amends TCA Title 4 and Title 39.

**HB 2050 by \*Richardson (\*SB 1705 by \*Overbey )**

Hospitals and Health Care Facilities - As introduced, specifies circumstances under which an existing licensed and operating nursing home may relocate all or less than all of its licensed beds to up to two new locations. - Amends TCA Title 68, Chapter 11.

**HB 2051 by \*McCord, Barker (\*SB 2083 by \*Burchett )**

Solid Waste Disposal - As introduced, enacts the "Tennessee Solid Waste Commodity Management and Community Recycling Enhancement Act of 2009." -

**HB 2052 by \*Rowland (\*SB 1686 by \*Ketron )**

Motor Vehicles, Titling and Registration - As introduced, requires proof of valid driver license before issuance of registration or renewal of registration for a motor vehicle. - Amends TCA Title 55, Chapter 4, Part 1.

**\*HB 2053 by \*Rowland**

Social Workers - As introduced, revises accrediting agency for social worker programs to include colleges and universities approved by the board of social workers. - Amends TCA Title 63, Chapter 23, Part 1.

**HB 2054 by \*Matheny (\*SB 1688 by \*Ketron )**

Highways, Roads and Bridges - As introduced, transfers a right of way owned by the state of Tennessee along Interstate 24 to the county of Rutherford. - Amends TCA Title 54.

**HB 2055 by \*Rowland (\*SB 1687 by \*Ketron )**

Solid Waste Disposal - As introduced, requires the department of environment and conservation to provide planning models for relocating, hauling, composting, or other processing of yard waste and food waste and to submit a report to the house conservation and environment committee and the senate environment, conservation, and tourism committee by December 1, 2010. - Amends TCA Title 68, Chapter 211.

(House Bills cont.)

**HB 2056 by \*Rowland (\*SB 1689 by \*Ketron )**

Food and Food Products - As introduced, clarifies that certain homemade foods may be sold at farmers' markets; exempts preparer of such foods from certain food regulations. - Amends TCA Title 53.

**HB 2057 by \*Rowland (\*SB 1600 by \*Beavers )**

Municipal Government - As introduced, places certain restrictions on municipal governments and collection agencies concerning the collection of unpaid parking tickets. - Amends TCA Title 6; Title 7; Section 40-24-105 and Title 62, Chapter 20.

**HB 2058 by \*Favors (\*SB 1979 by \*Watson )**

Naming and Designating - Names Chattanooga Tennessee National Guard Armory in honor of the late CSM Bobby G. Davis, Tennessee Army National Guard, Retired. -

**HB 2059 by \*Lynn, Carr (\*SB 0153 by \*Ketron )**

Criminal Offenses - As introduced, classifies as a Class A misdemeanor, subject to a fine only, the unauthorized implantation of an electronic identification and/or tracking device or mark placed on any human being. - Amends TCA Title 39.

**HB 2060 by \*Rowland (\*SB 1599 by \*Beavers )**

Real Property - As introduced, requires copies of subdivision or deed restrictions and certain homeowners' association information be attached to the residential property condition disclosure form where applicable. - Amends TCA Section 66-5-210.

**HB 2061 by \*Rowland (\*SB 1598 by \*Beavers )**

Teachers, Principals and School Personnel - As introduced, expands background check requirements for certain school personnel. - Amends TCA Title 49.

**HB 2062 by \*Rowland (\*SB 1596 by \*Beavers )**

Water - As introduced, directs commissioner of the department of environment and conservation to formulate and implement a plan to combine the water quality control board and the division of ground water protection into a single managed board. - Amends TCA Title 68 and Title 69.

**HB 2063 by \*Rowland (\*SB 1629 by \*Beavers )**

Courts, Administrative Office of the - As introduced, requires administrative office of the courts to publish on its Web site all state appellate court decisions searchable by appellate and trial judges' names; requires Web site to provide certain statistical information. - Amends TCA Title 16, Chapter 3.

**HB 2064 by \*Rowland (\*SB 1626 by \*Beavers )**

Economic and Community Development - As introduced, prohibits determination of eligibility of municipalities or counties for incentive benefits related to the award of grants or loans based on establishing a dedicated funding source. - Amends TCA Title 4, Chapter 3, Part 1.

**HB 2065 by \*Rowland (\*SB 1628 by \*Beavers )**

Criminal Procedure - As introduced, limits plea bargaining by district attorney with defendant charged with DUI or felony drug offense. - Amends TCA Title 39, Chapter 17, Part 4 and Title 55, Chapter 10, Part 4.

**HB 2066 by \*Rowland (\*SB 1632 by \*Beavers )**

Lottery, Scholarships and Programs - As introduced, creates K-12 local building account; redirects 10 cents of every dollar of lottery tickets sold to account; deems such amount excess lottery proceeds. - Amends TCA Title 4, Chapter 51, Part 1; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

**HB 2067 by \*Rowland (\*SB 1631 by \*Beavers )**

Lottery, Scholarships and Programs - As introduced, establishes K-12 building account for K-12 capital outlay projects; redirects unclaimed prize money from after school special account and lottery for education account to K-12 building account; deletes after school special account. - Amends TCA Title 4, Chapter 51, Part 1; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

**HB 2068 by \*Lynn (\*SB 0025 by \*Harper )**

Motor Vehicles, Titling and Registration - As introduced, requires all trucks and truck tractors, other than trucks with a three-quarter ton rating or less and motor homes, to have registration plates attached to both the front and rear of such vehicles. - Amends TCA Title 55, Chapter 4, Part 1.

**\*HB 2069 by \*Cobb J, Floyd, Dean**

Motor Vehicles - As introduced, authorizes certain municipalities to allow golf carts on certain public roads within their jurisdiction upon the adoption of an ordinance by a two-thirds vote. - Amends TCA Title 55, Chapter 1, Part 1 and Title 55, Chapter 8.

(House Bills cont.)

**\*HB 2070 by \*Rowland**

Motor Vehicles - As introduced, requires county clerks to verify county of residence of persons obtaining or renewing motor vehicle registrations. - Amends TCA Section 55-4-105.

**HB 2071 by \*Jones U (\*SB 1817 by \*Herron )**

Election Laws - As introduced, permits any registered Tennessee voter to vote absentee. - Amends TCA Title 2.

**\*HB 2072 by \*DeBerry J**

Education - As introduced, requires state board to create an occupational diploma for students with disabilities. - Amends TCA Title 49.

**HB 2073 by \*Cobb C**

Shelbyville - As introduced, subject to local approval, clarifies that a majority of those present and voting shall be necessary for action by the council; clarifies that this voting procedure is to be used for election of Electric Power, Water and Sewage Board members. - Amends Chapter 754 of the Private Acts of 1947.

**\*HB 2074 by \*Fitzhugh**

Taxes, Real Property - As introduced, authorizes governing bodies of local governments to make appropriations to reimburse taxpayers for overpayment of property taxes due to clerical errors; revises description of clerical errors; clarifies jurisdiction of state board of equalization. - Amends TCA Section 5-5-124; Section 6-55-604; Section 67-5-509; Section 67-5-1412 and Section 67-5-1501.

**\*HB 2075 by \*Fitzhugh**

Taxes, Real Property - As introduced, requires that judicial review of action of the state board of equalization be conducted in accordance with the Uniform Administrative Procedures Act; authorizes reviewing court to remand to board for additional proof upon request of party who was pro se before board and whose case is not substantially prejudiced as a result. - Amends TCA Section 67-5-1511.

**\*HB 2076 by \*Fitzhugh**

Appropriations - As introduced, appropriates amount equal to the amount received from federal government under the American Recovery and Reinvestment Act of 2009 for clean and drinking water state revolving funds to the Tennessee local development authority for water programs. -

**HB 2077 by \*Fitzhugh (\*SB 1868 by \*Kyle )**

Employees, Employers - As introduced, requires employers receiving a Tennessee job skills grant filing a final report with the department of economic and community development to report the outcome measurements for the project and the actual cost per person enrolled, trained, hired, and retained in employment in addition to other presently required information. - Amends TCA Section 50-7-451.

**HB 2078 by \*Ferguson (\*SB 1991 by \*Marrero B )**

Health Care - As introduced, directs the board for licensing health care facilities to develop a rule to authorize certified medical technicians to administer medications to residents of assisted care living facilities and residential homes for the aged. - Amends TCA Title 68, Chapter 11.

**HB 2079 by \*Stewart (\*SB 1870 by \*Kyle )**

Judges and Chancellors - As introduced, requires judges of the court of appeals and court of criminal appeals to be licensed to practice law in Tennessee for at least five years prior to qualification for election. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

## **SECOND CONSIDERATION**

HB's 1675 – 1698, 1700 – 1755 were passed on second consideration.

**2/11/09**

FINANCE, WAYS & MEANS – HB 111.

JUDICIARY – HB 250.

STATE & LOCAL GOVERNMENT – HB's 291, 304.

(Second Considerations cont.)

**2/19/09**

COMMERCE – HB's 1303, 1309.  
CHILDREN & FAMILY AFFAIRS – HB 1207.  
CONSERVATION & ENVIRONMENT – HB 1245.  
FINANCE, WAYS & MEANS – HB 1399.  
JUDICIARY – HB's 1293, 1384.  
STATE & LOCAL GOVERNMENT – HB 1437.  
TRANSPORTATION – HB 1426.

**2/23/09**

CAPTION, HELD ON DESK - HB's 1538, 1542, 1587, 1590, 1618, 1621, 1656.  
AGRICULTURE – HB 1512.  
CHILDREN & FAMILY AFFAIRS – HB 1629.  
COMMERCE - HB's 1520, 1523, 1548, 1553, 1562, 1584, 1589, 1661.  
CONSERVATION & ENVIRONMENT - HB's 1600, 1615, 1616, 1617, 1619, 1626.  
CONSUMER & EMPLOYEE AFFAIRS - HB's 1500, 1564, 1566, 1571, 1574, 1594, 1595, 1604, 1612.  
EDUCATION - HB's 1506, 1507, 1508, 1509, 1515, 1516, 1524, 1525, 1530, 1531, 1544, 1560, 1643, 1647, 1668.  
FINANCE, WAYS & MEANS - HB's 1501, 1505, 1540, 1543, 1649.  
HEALTH & HUMAN RESOURCES - HB's 1532, 1551, 1570, 1596, 1602, 1603, 1606, 1607, 1611, 1634, 1651, 1669, 1674.  
JUDICIARY - HB's 1503, 1514, 1519, 1521, 1526, 1527, 1528, 1534, 1541, 1545, 1547, 1576, 1588, 1592, 1598, 1613, 1614, 1623, 1625, 1639, 1663, 1665.  
STATE & GOVERNMENT OPERATIONS - HB's 1510, 1513, 1537, 1549, 1558, 1580, 1583, 1597, 1601, 1608, 1609, 1628, 1633, 1635, 1636, 1640, 1641, 1653, 1659.  
TRANSPORTATION - HB's 1511, 1563, 1565, 1567, 1568, 1581, 1605, 1638, 1657, 1660.

**2/25/09**

HELD ON DESK – HB 1725.  
CAPTION, HELD ON DESK - HB's 1749, 1751, 1754.  
AGRICULTURE – HB 1738.  
COMMERCE - HB's 1698, 1703, 1704, 1712, 1713, 1721, 1722, 1723, 1727, 1742.  
CONSERVATION & ENVIRONMENT – HB 1710.  
CONSUMER & EMPLOYEE AFFAIRS – HB 1687.  
EDUCATION - HB's 1682, 1685, 1739.  
FINANCE, WAYS & MEANS - HB's 1750, 1752.  
HEALTH & HUMAN RESOURCES - HB's 1715, 1728, 1732, 1737.  
JUDICIARY - HB's 1675, 1693, 1694, 1701, 1708, 1717, 1726, 1729, 1730, 1736, 1748.  
STATE & LOCAL GOVERNMENT - HB's 1692, 1702, 1711, 1714, 1719, 1720, 1741, 1755.  
TRANSPORTATION - HB's 1624, 1696.

**THIRD CONSIDERATION**

Consent Calendar:

HR's 21, 22, 23 – ADOPTED 93-0-4.  
HJR's 118, 122, 124, 126, 128 – ADOPTED 93-0-4.  
SJR 65 – RE-SET to 2/26/09.  
SJR's 84, 87, 88, 89, 90, 91 – CONCURRED 93-0-4.

Regular Calendar:

HB's 3, 286 – RE-REF to S&L.  
HB 690 – PASSED 74-15-2.

## **OTHER ACTION**

HB 937 – WITHDRAWN.  
HJR 130 – s/r Intro., ADOPTED v.v.

## **COMMITTEE REPORTS**

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –  
Rec. for pass., ref to C&R – HB's 990, 1071, 1038, 1040, 1048, 1087, 1021, 1070.  
Taken off notice – HB's 991, 986.  
JUDICIARY – HHR #31 – 8:30 a.m. –  
Rec. for pass., ref to C&R – HB 1119.

## **SUBCOMMITTEE REPORTS**

BUDGET – HHR #29 – 11:00 a.m. –  
Rec. for adopt. – HJR 59.  
Action def. – HB 85, HJR 3.  
CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –  
Rec. for pass. – HB's 959, 961, 962, 716, 414, 254, 70, 615.  
Rec. for pass. if am. – HB's 411, 516.  
Action def. – HB's 82, 960, 520, HJR 32, HB 314.  
DOMESTIC RELATIONS – HHR #29 – 12:30 p.m. –  
Rec. for pass. if am. – HB 805.  
Action def. – HB 806.  
LOCAL GOVERNMENT – HHR #29 – 9:15 a.m. –  
Action def. – HB 643.  
Taken off notice – HB's 21, 22, 37.  
STATE GOVERNMENT – HHR #29 – 8:30 a.m. –  
Rec. for pass. – HB's 495, 824, 278, 580.  
Failed – HJR 17.  
Action def. – HB's 533, 204, 23, 38, 129, 813.

## **CALENDARS FOR THURSDAY, FEBRUARY 26, 2009**

### **Consent**

- 1. HR 0024 by \*Brooks K**  
Memorials, Recognition - Lee University, President's Higher Education Community Service Honor Roll -
- 2. HR 0025 by \*Fraley**  
Memorials, Personal Occasion - Virgil L. McAlister, 98th birthday -
- 3. HJR 0129 by \*Evans**  
Memorials, Death - Lieutenant Stephen Bradley Hutcherson -
- 4. HJR 0131 by \*Ford**  
Memorials, Recognition - Dr. Sean Bryant Kaminsky -
- 5. HJR 0134 by \*Halford**  
Memorials, Recognition - Ryan Garner -
- 6. HJR 0135 by \*Hackworth, Winningham, Ferguson**  
Memorials, Recognition - Linden Elementary School -
- 7. HJR 0136 by \*Hackworth, Winningham, Ferguson**  
Memorials, Recognition - Oak Ridge's Operation Open Sesame, 60th anniversary
- 8. HJR 0137 by \*Hackworth, Winningham, Ferguson**  
Memorials, Retirement - Lawrence Hahn -

(Consent Calendar cont.)

**9. HJR 0140 by \*McDonald**

Memorials, Recognition - Roger Dale Pullen -

**10. HJR 0141 by \*Dean, McCormick, Floyd, Favors, Brown, Cobb J, Brooks K, Shaw, DeBerry J**

Memorials, Retirement - Reverend William "Billy" Dean -

**11. HJR 0142 by \*Cobb J**

Memorials, Sports - Soddy-Daisy High School cheerleaders, NCA national champions -

**12. HJR 0143 by \*Weaver**

Memorials, Sports - Brooke Armistead, Austin Peay State University Hall of Fame -

**Regular**

**1. SJR 0065 by \*Ramsey, Gresham, Norris, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney L, Ford, O., Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero B, McNally, Overbey, Southerland, Stanley, Stewart, Tate, Tracy, Watson, Woodson, Yager**

Memorials, Personal Occasion - Ron and Bobbie Patray, 50th anniversary

**HOUSE CONVENES AT 9:00 A.M., THURSDAY, FEBRUARY 26, 2009**